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VETERANS' BENEFITS IMPROVEMENT AND HEALTH-CARE AUTHORIZATION ACT OF 1986

Public Law 99-576
99th Congress

An Act

Oct. 28, 1986
[H.R. 5299]

To amend title 38, United States Code, to increase the rates of compensation and dependency and indemnity compensation for veterans and survivors, and to improve veterans' health-care, education, employment, housing, and national cemetery programs, and for other purposes.

Veterans' Benefits Improvement and Health-Care Authorization Act of 1986.
38 USC 101 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCES TO TITLE 38, UNITED STATES CODE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Veterans' Benefits Improvement and Health-Care Authorization Act of 1986".

(b) REFERENCES TO TITLE 38.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 38, United States Code.

(c) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

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TITLE I—COMPENSATION INCREASES AND OTHER COMPENSATION MATTERS

SEC. 101. DISABILITY COMPENSATION.

(a) IN GENERAL.—Section 314 is amended—

(1) by striking out "$68" in subsection (a) and inserting in lieu thereof "$69";

(2) by striking out "$126" in subsection (b) and inserting in lieu thereof "$128";

(3) by striking out "$191" in subsection (c) and inserting in lieu thereof "$194";

(4) by striking out "$274" in subsection (d) and inserting in lieu thereof "$278";

(5) by striking out "$388" in subsection (e) and inserting in lieu thereof "$394";

(6) by striking out "$489" in subsection (f) and inserting in lieu thereof "$496";

(7) by striking out "$617" in subsection (g) and inserting in lieu thereof "$626";

(8) by striking out "$713" in subsection (h) and inserting in lieu thereof "$724";

(9) by striking out "$803" in subsection (i) and inserting in lieu thereof "$815";

(10) by striking out "$1,335" in subsection (j) and inserting in lieu thereof "$1,355";

(11) by striking out "$62", "$1,659", and "$2,325" in subsection (k) and inserting in lieu thereof "$63", "$1,684", and "$2,360", respectively;

(12) by striking out "$1,659" in subsection (l) and inserting in lieu thereof "$1,684";

(13) by striking out "$1,829" in subsection (m) and inserting in lieu thereof "$1,856";

(14) by striking out "$2,080" in subsection (n) and inserting in lieu thereof "$2,111";

(15) by striking out "$2,325" each place it appears in subsections (o) and (p) and inserting in lieu thereof "$2,360";

(16) by striking out "$998" and "$1,487" in subsection (r) and inserting in lieu thereof "$1,013" and "$1,509", respectively; and

(17) by striking out "$1,494" in subsection (s) and inserting in lieu thereof "$1,516".

(b) SPECIAL RULE.—The Administrator of Veterans' Affairs may adjust administratively, consistent with the increases authorized by this section, the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85-857 who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

38 USC 314 note.

38 USC note prec. 101.

38 USC 301 *et seq.*

SEC. 102. ADDITIONAL COMPENSATION FOR DEPENDENTS.

Section 315(1) is amended—

(1) by striking out "$81" in clause (A) and inserting in lieu thereof "$82";

(2) by striking out "$136" and "$43" in clause (B) and inserting in lieu thereof "$138" and "$44", respectively;

(3) by striking out "$56" and "$43" in clause (C) and inserting in lieu thereof "$57" and "$44", respectively;

(4) by striking out "$66" in clause (D) and inserting in lieu thereof "$67";

(5) by striking out "$147" in clause (E) and inserting in lieu thereof "$149"; and

(6) by striking out "$124" in clause (F) and inserting in lieu thereof "$126".

SEC. 103. CLOTHING ALLOWANCE FOR CERTAIN DISABLED VETERANS.

Section 362 is amended by striking out "$360" and inserting in lieu thereof "$365".

SEC. 104. DEPENDENCY AND INDEMNITY COMPENSATION FOR SURVIVING SPOUSES.

Section 411 is amended—

(1) by striking out the table in subsection (a) and inserting in lieu thereof the following:

"Pay grade	Monthly rate	Pay grade	Monthly rate
E-1	$498	W-4	$714
E-2	513	O-1	630
E-3	526	O-2	650
E-4	560	O-3	696
E-5	574	O-4	736
E-6	587	O-5	811
E-7	616	O-6	914
E-8	650	O-7	988
E-9	[1] 679	O-8	1,083

"Pay grade	Monthly rate	Pay grade	Monthly rate
W-1	630	O-9	1,162
W-2	655	O-10	[2] 1,274
W-3	674		

"[1] If the veteran served as sergeant major of the Army, senior enlisted advisor of the Navy, chief master sergeant of the Air Force, sergeant major of the Marine Corps, or master chief petty officer of the Coast Guard, at the applicable time designated by section 402 of this title, the surviving spouse's rate shall be $733.

"[2] If the veteran served as Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, or Commandant of the Coast Guard, at the applicable time designated by section 402 of this title, the surviving spouse's rate shall be $1,365.";

(2) by striking out "$57" in subsection (b) and inserting in lieu thereof "$58";

(3) by striking out "$147" in subsection (c) and inserting in lieu thereof "$149"; and

(4) by striking out "$72" in subsection (d) and inserting in lieu thereof "$73".

SEC. 105. DEPENDENCY AND INDEMNITY COMPENSATION FOR CHILDREN.

38 USC 413.

Section 413 is amended—

(1) by striking out "$247" in clause (1) and inserting in lieu thereof "$251";

(2) by striking out "$356" in clause (2) and inserting in lieu thereof "$361";

(3) by striking out "$460" in clause (3) and inserting in lieu thereof "$467"; and

(4) by striking out "$460" and "$93" in clause (4) and inserting in lieu thereof "$467" and "$94", respectively.

SEC. 106. SUPPLEMENTAL DEPENDENCY AND INDEMNITY COMPENSATION FOR CHILDREN.

Section 414 is amended—

(1) by striking out "$147" in subsection (a) and inserting in lieu thereof "$149";

(2) by striking out "$247" in subsection (b) and inserting in lieu thereof "$251"; and

(3) by striking out "$126" in subsection (c) and inserting in lieu thereof "$128".

SEC. 107. EFFECTIVE DATE FOR RATE INCREASES.

38 USC 314 note.

The amendments made by sections 101 through 106 shall take effect on December 1, 1986, except that such amendments shall not take effect unless benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 1986, as a result of a determination under section 215(i) of such Act (42 U.S.C 415(i)).

SEC. 108. IMPROVED BENEFITS FOR FORMER PRISONERS OF WAR.

(a) PRESUMPTION OF SERVICE CONNECTION FOR CERTAIN DISABILITIES.—Section 312(b) is amended—

(1) by striking out "or" at the end of clause (9); and

(2) by inserting after clause (10) the following new clauses:

"(11) organic residuals of frostbite, if the Administrator determines that the veteran was interned in climatic conditions consistent with the occurrence of frostbite, or

"(12) post-traumatic osteoarthritis,".

38 USC 312 note.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as of October 1, 1986.

SEC. 109. SPECIAL CONSIDERATION FOR LOSS OF PAIRED ORGANS OR EXTREMITIES.

(a) REVISION OF SECTION 360.—(1) Section 360 is amended to read as follows:

"§ 360. Special consideration for certain cases of loss of paired organs or extremities

"(a) Where a veteran has suffered—

"(1) blindness in one eye as a result of service-connected disability and blindness in the other eye as a result of non-service-connected disability not the result of the veteran's own willful misconduct;

"(2) the loss or loss of use of one kidney as a result of service-connected disability and involvement of the other kidney as a result of non-service-connected disability not the result of the veteran's own willful misconduct;

"(3) total deafness in one ear as a result of service-connected disability and total deafness in the other ear as the result of non-service-connected disability not the result of the veteran's own willful misconduct;

"(4) the loss or loss of use of one hand or one foot as a result of service-connected disability and the loss or loss of use of the other hand or foot as a result of non-service-connected disability not the result of the veteran's own willful misconduct; or

"(5) permanent service-connected disability of one lung, rated 50 percent or more disabling, in combination with a non-service-connected disability of the other lung that is not the result of the veteran's own willful misconduct,

the Administrator shall assign and pay to the veteran the applicable rate of compensation under this chapter as if the combination of disabilities were the result of service-connected disability.

Gifts and property.

"(b) If a veteran described in subsection (a) of this section receives any money or property of value pursuant to an award in a judicial proceeding based upon, or a settlement or compromise of, any cause of action for damages for the non-service-connected disability described in such subsection, the increase in the rate of compensation otherwise payable under this section shall not be paid for any month following a month in which any such money or property is received until such time as the total of the amount of such increase that would otherwise have been payable equals the total of the amount of any such money received and the fair market value of any such property received.".

(2) The item relating to such section in the table of sections at the beginning of chapter 11 is amended to read as follows:

"360. Special consideration for certain cases of loss of paired organs or extremities.".

(b) CONFORMING AMENDMENT.—Subsection (t) of section 314 is repealed.

38 USC 360 note.

(c) EFFECTIVE DATE.—(1) Except as provided in paragraph (2), the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) In the case of an award of compensation for a disability described in clause (1), (2), (3), or (5) of subsection (a) of section 360 of title 38, United States Code, as amended by subsection (a) of this section, subsection (b) of such section shall apply only to awards of compensation made on or after the date of the enactment of this Act.

TITLE II—HEALTH CARE AND MEDICAL FACILITIES

PART A—HEALTH-CARE PROGRAMS

SEC. 201. RESPITE CARE.

(a) AUTHORITY FOR RESPITE CARE PROGRAM.—(1) Subchapter II of chapter 17 is amended by adding at the end the following new section:

38 USC 620B.

"§ 620B. Respite care

"(a) The Administrator may furnish respite care services to a veteran who is eligible to receive care under section 610 of this title.

"(b) For the purpose of this section, the term 'respite care' means hospital or nursing home care which—

"(1) is of limited duration;

"(2) is furnished in a Veterans' Administration facility on an intermittent basis to a veteran who is suffering from a chronic illness and who resides primarily at home; and

"(3) is furnished for the purpose of helping the veteran to continue residing primarily at home.

"(c) The authority provided by this section terminates on September 30, 1989.".

Termination date.

(2) The table of sections at the beginning of chapter 17 is amended by inserting after the item relating to section 620A the following new item:

"620B. Respite care.".

38 USC 620B note.

(b) REPORT.—If the Administrator of Veterans' Affairs furnishes respite care under section 620B of title 38, United States Code (as added by subsection (a))—

(1) the Administrator shall conduct an evaluation of the health efficacy and cost-effectiveness of furnishing such care; and

(2) not later than February 1, 1989, shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report containing—

(A) the results of such evaluation; and

(B) any plan for administrative action, and any recommendation for legislation, that the Administrator considers appropriate to include in the report.

SEC. 202. HOME HEALTH SERVICES.

Section 612 is amended—

(1) by striking out "As" in subsections (a)(2) and (f)(2) and inserting in lieu thereof "Subject to subsection (k) of this section, as"; and

(2) by adding at the end the following new subsection:

"(k) The Administrator may furnish home health services to a veteran in any setting in which the veteran is residing. The Administrator may not furnish such services in such a manner as to relieve any other person or entity of a contractual obligation to furnish services to the veteran. When home health services are furnished in a setting other than the veteran's home, such services may not include any structural improvement or alteration.".

SEC. 203. CONTINUATION OF CERTAIN COUNSELING SERVICES FOR A DECEASED VETERAN'S FAMILY MEMBERS.

Clause (B) of section 601(6) is amended to read as follows: 38 USC 601.

"(B)(i) such consultation, professional counseling, training, and mental health services as are necessary in connection with the treatment—

"(I) of the service-connected disability of a veteran pursuant to section 612(a) of this title, and

"(II) in the discretion of the Administrator, of the non-service-connected disability of a veteran eligible for treatment under section 612(f)(1)(A)(ii) of this title where such services were initiated during the veteran's hospitalization and the provision of such services on an outpatient basis is essential to permit the discharge of the veteran from the hospital,

for the members of the immediate family or legal guardian of a veteran, or the individual in whose household such veteran certifies an intention to live, as may be essential to the effective treatment and rehabilitation of the veteran (including, under the terms and conditions set forth in section 111 of this title, travel and incidental expenses of such family member or individual in the case of a veteran who is receiving care for a service-connected disability, or in the case of a dependent or survivor of a veteran receiving care under the last sentence of section 613(b) of this title); and

"(ii) in the case of an individual who was a recipient of services under subclause (i) of this clause at the time of—

"(I) the unexpected death of the veteran; or

"(II) the death of the veteran while the veteran was participating in a hospice program (or a similar program) conducted by the Administrator,

such counseling services, for a limited period, as the Administrator determines to be reasonable and necessary to assist such individual with the emotional and psychological stress accompanying the veteran's death.

For the purposes of this paragraph, a dependent or survivor of a veteran receiving care under the last sentence of section 613(b) of this title shall be eligible for the same medical services as a veteran.".

SEC. 204. TRANSITION PERIOD FOR READJUSTMENT COUNSELING CENTERS.

(a) EXTENSION OF TRANSITION PERIOD.—Paragraph (1) of section 612A(g) is amended—

(1) by striking out "the twelve-month period ending on September 30, 1988" and inserting in lieu thereof "the 24-month period ending on September 30, 1989"; and

(2) by striking out "orderly transition, by October 1, 1988" in clause (A) and inserting in lieu thereof "orderly, gradual transition by October 1, 1989".

(b) CONTENT OF REPORTS.—(1) Paragraph (2)(A) of such section is amended by inserting "(Public Law 98-160) (or, if the study is not then completed, whatever information from it is then available)" in the second sentence after "the Veterans' Health Care Amendments of 1983". 38 USC 101 note.

(2) Paragraph (3) of such section is amended by adding at the end the following new sentence: "Such report shall be prepared taking 38 USC 101 note.

into consideration the results of the study referred to in paragraph (2)(A) of this subsection (or, if the study is not then completed, whatever information from it is then available).".

(c) REPORT ON TRANSITION.—Such section is further amended by adding at the end the following new paragraph:

"(4) Not later than February 1, 1989, the Administrator shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the experience under as much of the transition as was carried out pursuant to paragraph (1) of this subsection before September 30, 1988, including such recommendations for legislative and administrative action as the Administrator considers appropriate in light of such experience.".

SEC. 205. THERAPEUTIC AND REHABILITATIVE ACTIVITIES.

Section 618 is amended—

(1) in subsection (a)—

(A) by striking out "may utilize" and inserting in lieu thereof "may use";

(B) by striking out "purposes, at nominal remuneration, and such" and inserting in lieu thereof "purposes. Such"; and

(C) by striking out "utilization" and inserting in lieu thereof "use";

(2) in subsection (b)(1), by striking out "for remuneration";

(3) in subsection (c)—

(A) by striking out "pay" in paragraph (2) and inserting in lieu thereof "distribute"; and

(B) by striking out "and wage rates" in paragraph (3) and inserting in lieu thereof "rates of distribution"; and

(4) in subsection (f)—

(A) by inserting "(1)" after "(f)";

(B) by striking out "remuneration" and inserting in lieu thereof "a distribution"; and

(C) by adding at the end the following new paragraph:

"(2) A distribution of funds made under this section shall be considered for purposes of chapter 15 of this title to be a donation from a public or private relief or welfare organization.".

38 USC 501 *et seq.*

SEC. 206. CONTRACTS AND GRANTS FOR MEDICAL CARE FOR UNITED STATES VETERANS IN THE REPUBLIC OF THE PHILIPPINES.

(a) EXTENSIONS OF AUTHORITIES.—(1) Section 632 is amended by striking out "September 30, 1986" in subsections (a) and (b)(1) and inserting in lieu thereof "September 30, 1989".

38 USC 632 note.

(2) Any action by the Administrator of Veterans' Affairs in contracting under the provisions of section 632(a) of title 38, United States Code, with respect to the period beginning on October 1, 1986, and ending on the date of the enactment of this Act is hereby ratified.

38 USC 632 note.

(b) REPORTS ON USE OF FUNDS.—Not later than February 1, 1987, 1988, and 1989, the Administrator of Veterans' Affairs shall submit to Congress a report describing the use of funds provided to the Republic of the Philippines under section 632(b) of title 38, United States Code, during the preceding fiscal year.

PART B—HEALTH-CARE ADMINISTRATION

SEC. 211. ENFORCEMENT OF STATE AND LOCAL TRAFFIC LAWS BY VETERANS' ADMINISTRATION POLICE OFFICERS.

38 USC 218.

Paragraph (1) of section 218(b) is amended to read as follows:

"(1)(A) Veterans' Administration employees who are Veterans' Administration police officers shall, with respect to acts occurring on Veterans' Administration property, enforce—

"(i) Federal laws;

"(ii) the rules prescribed under subsection (a)(2)(A) of this section; and

"(iii) subject to subparagraph (B) of this paragraph, traffic and motor vehicle laws of a State or local government within the jurisdiction of which such Veterans' Administration property is located.

"(B) A law described in clause (iii) of subparagraph (A) of this paragraph may be enforced under such clause only as authorized by an express grant of authority under applicable State or local law. Any such enforcement shall be by the issuance of a citation for violation of such law.

"(C) Subject to regulations prescribed under paragraph (2) of this subsection, a Veterans' Administration police officer may make arrests on Veterans' Administration property for a violation of a Federal law or any rule prescribed under subsection (a)(2)(A) of this section.".

SEC. 212. REGIONAL MEDICAL EDUCATION CENTERS.

(a) STATUS OF PROGRAM.—Section 4121(a) is amended—

(1) by striking out "pilot"; and

(2) by striking out "in geographically dispersed areas of the United States".

(b) PROGRAM FLEXIBILITY.—Section 4121(b) is amended—

(1) by striking out "in-residence"; and

(2) by striking out "medical and health".

(c) SHARING OF TRAINING PROGRAMS.—Section 4123 is amended—

(1) by inserting "(a)" before "The Chief Medical Director";

(2) by striking out the third and fourth sentences; and

(3) by adding at the end the following:

"(b) To the extent that facilities are available, medical and health personnel from outside the Department of Medicine and Surgery may, on a reimbursable basis, be provided training in the Centers. Such reimbursement may include reciprocal training of personnel of the Department of Medicine and Surgery provided under sharing arrangements entered into by the Chief Medical Director and the heads of the entities providing such reciprocal training. Any amounts received by the United States as reimbursement under this subsection shall be credited to the applicable Veterans' Administration medical appropriation account.".

SEC. 213. PERIOD OF OBLIGATED SERVICE UNDER SCHOLARSHIP PROGRAM.

Section 4142(e)(1)(B)(iv)(I) is amended by striking out the parenthetical phrase and inserting in lieu thereof "(or, in the case of a participant who is a part-time student, six months for each calendar year, or part of a calendar year, for which the participant was provided a scholarship, with an academic semester or quarter to be counted in only one calendar year)."

SEC. 214. PERIOD OF APPOINTMENT OF CERTAIN TEMPORARY AND PART-TIME HEALTH-CARE PERSONNEL.

38 USC 4114.

(a) TEMPORARY AND PART-TIME APPOINTMENTS.—(1) Paragraph (1) of section 4114(a) is amended—

(A) by inserting "certified or registered respiratory therapists, licensed physical therapists, licensed practical or vocational nurses," after "dental auxiliaries," in clause (A); and

(B) by inserting ", certified or registered respiratory therapists, licensed physical therapists, licensed practical or vocational nurses" after "dental auxiliaries" in clause (B).

(2) Paragraph (2) of such section is amended by striking out "paragraph (1) of section 4104" and inserting in lieu thereof "paragraphs (1) and (3) of section 4104".

(3) Paragraph (3) of such section is amended—

(A) by inserting "except as authorized in subparagraph (D) of this paragraph" in subparagraph (A) after "year";

(B) by inserting "and except as authorized in subparagraph (D) of this paragraph" in subparagraph (B) after "programs"; and

(C) by adding at the end the following new subparagraph:

"(D) During any period during which the Administrator is exercising the authority of only section 4106 (a) and (g)(1) of this title in connection with the appointment, under section 4104(3) of this title, of personnel in the category of certified or registered respiratory therapists, licensed physical therapists, or licensed practical or vocational nurses—

"(i) the Administrator may make temporary full-time appointments of personnel in such category for periods exceeding 90 days if the Chief Medical Director finds that circumstances render it impractical to obtain the necessary services through appointments under paragraph (3) of section 4104 of this title; and

"(ii) part-time appointments of personnel in such category may be for periods of more than one year.".

(b) LICENSURE OF PSYCHOLOGISTS.—Section 4114(d) is amended by inserting "psychologist," after "podiatrist," both places it appears.

SEC. 215. REPORT ON A NATIONAL DRUG FILE.

Not later than 90 days after the date of the enactment of this Act, the Administrator of Veterans' Affairs shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the plans of the Department of Medicine and Surgery for the development, establishment, and administration of a national drug file, including an agency-wide reclassification and inventory system for all drugs used by the Veterans' Administration. The report shall also include—

(1) the timetable for the establishment of such a drug file;

(2) an estimate (and the underlying criteria therefor) of the number of employees, all computer equipment (including any additional computer equipment), and total expenditures necessary to develop, establish, and administer such a drug file; and

(3) any other matters the Administrator considers appropriate to include in the report.

SEC. 216. STIPEND FOR PARTICIPATION IN STUDY OF VIETNAM-ERA VETERANS' PSYCHOLOGICAL PROBLEMS.

Section 102 of the Veterans' Health Care Amendments of 1983 (Public Law 98-160; 97 Stat. 994) is amended by adding at the end the following new subsection: 38 USC 612A note.

"(d) In order to promote the participation in the study required by subsection (a) of a number of study subjects sufficient to yield scientifically valid results from such study, the Administrator shall pay an appropriate stipend to each individual participating in the study as a subject. In determining the amount of such stipend, the Administrator shall take into account—

"(1) the amount of time that the individual is expected to devote to participation in the study,

"(2) the extent to which the individual's normal routine is disrupted as a result of such participation,

"(3) any travel by the individual in connection with such participation, and

"(4) such other factors as the Administrator considers appropriate."

PART C—FACILITY CONSTRUCTION AND PLANNING

SEC. 221. CONSIDERATION OF SHARING DEPARTMENT OF DEFENSE FACILITIES.

(a) IN GENERAL.—Section 5002 is amended by adding at the end the following new subsection: 38 USC 5002.

"(d) In considering the need for any project for the construction, alteration, or acquisition (other than by exchange) of a medical facility which is expected to involve a total expenditure of more than $2,000,000, the Administrator shall give consideration to the sharing of health-care resources with the Department of Defense under section 5001 of this title as an alternative to all or part of such project.".

(b) REQUIREMENT FOR DESCRIPTION IN PROSPECTUS.—Section 5004(b)(1) is amended by inserting "and to the sharing of health-care resources with the Department of Defense under section 5011 of this title" after "purchase".

SEC. 222. ANNUAL REPORT ON FACILITIES CONSTRUCTION.

Section 5007(a) is amended by inserting ", after considering the analysis and recommendations of the Chief Medical Director," after "Administrator" both places it appears.

SEC. 223. PARKING FACILITIES.

(a) REVISION OF AUTHORITIES.—(1) Section 5009 of title 38, United States Code, is amended to read as follows:

"§ 5009. Parking facilities

"(a) For the purpose of this section—

"(1) The term 'garage' means a structure (or part of a structure) in which vehicles may be parked.

"(2) The term 'parking facility' includes—

"(A) a surface parking lot; and

"(B) a garage.

"(3) The term 'eligible person' means an individual to whom the Administrator is authorized to furnish medical examination or treatment.

Motor vehicles.

"(b) In order to accommodate the vehicles of employees of medical facilities, vehicles used to transport veterans and eligible persons to or from such facilities for the purpose of examination or treatment, and the vehicles of visitors and other individuals having business at such facilities, the Administrator—

"(1) may construct or alter parking facilities, and may acquire, by purchase, lease, condemnation, donation, exchange, or otherwise, such land or interests in land as the Administrator considers necessary for use as the site for any such construction or alteration;

"(2) may acquire, by purchase, lease, condemnation, donation, exchange, or otherwise, any facility that the Administrator considers necessary for use as a parking facility; and

"(3) may operate and maintain parking facilities.

"(c)(1) Except as provided in paragraph (2) of this subsection, each employee, visitor, and other individual having business at a medical facility for which parking fees have been established under subsection (d) or (e) of this section shall be charged the applicable parking fee for the use of a parking facility at such medical facility.

Motor vehicles.

"(2) A parking fee shall not be charged under this subsection for the accommodation of any vehicle used to transport to or from a medical facility—

"(A) a veteran or eligible person in connection with such veteran or eligible person seeking examination or treatment; or

Voluntarism.

"(B) a volunteer worker (as determined in accordance with regulations which the Administrator shall prescribe) in connection with such worker performing services for the benefit of veterans receiving care at a medical facility.

"(3) The Administrator shall collect (or provide for the collection of) parking fees charged under this subsection.

"(d)(1) For each medical facility where funds from the revolving fund described in subsection (h) of this section are expended for—

"(A) a garage constructed or acquired by the Veterans' Administration at a cost exceeding $500,000 (or, in the case of acquisition by lease, $100,000 per year); or

"(B) a project for the alteration of a garage at a cost exceeding $500,000,

the Administrator shall prescribe a schedule of parking fees to be charged at all parking facilities used in connection with such medical facility.

"(2) The parking fee schedule prescribed for a medical facility referred to in paragraph (1) of this subsection shall be designed to establish fees which the Administrator determines are reasonable under the circumstances.

"(e) The Administrator may prescribe a schedule of parking fees for the parking facilities at any medical facility not referred to in subsection (d) of this section. Any such schedule shall be designed to establish fees which the Administrator determines to be reasonable under the circumstances and shall cover all parking facilities used in connection with such medical facility.

"(f) The Administrator may contract (by lease or otherwise) for the operation of parking facilities at medical facilities under such terms and conditions as the Administrator prescribes and may do so without regard to laws requiring full and open competition.

"(g) Subject to subsections (h) and (i) of this section, there are authorized to be appropriated such amounts as are necessary to finance (in whole or in part) the construction, alteration, and ac-

quisition (including site acquisition) of parking facilities at medical facilities.

"(h)(1) Amounts appropriated pursuant to subsection (g) of this section and parking fees collected under subsection (c) of this section shall be administered as a revolving fund and shall be available without fiscal year limitation.

"(2) The revolving fund shall be deposited in a checking account with the Treasurer of the United States.

"(3)(A) Except as provided in subparagraph (B) of this paragraph, no funds other than funds from the revolving fund may be expended for the construction, alteration, or acquisition (including site acquisition) of a garage at a medical facility after September 30, 1986.

"(B) Subparagraph (A) of this paragraph does not apply to the use of funds for investigations and studies, surveys, designs, plans, working drawings, specifications, and similar actions not directly involved in the physical construction of a structure.

"(i)(1) The expenditure of funds from the revolving fund may be made only for the construction, alteration, and acquisition (including site acquisition) of parking facilities at medical facilities and may be made only as provided for in appropriation Acts.

"(2) For the purpose of section 5004(a)(2) of this title, a bill, resolution, or amendment which provides that funds in the revolving fund (including any funds proposed in such bill, resolution, or amendment to be appropriated to the revolving fund) may be expended for a project involving a total expenditure of more than $2,000,000 for the construction, alteration, or acquisition (including site acquisition) of a parking facility or facilities at a medical facility shall be considered to be a bill, resolution, or amendment making an appropriation which may be expended for a major medical facility project.". 38 USC 5004.

(2) The item relating to such section in the table of sections at the beginning of chapter 81 of such title is amended to read as follows:

"5009. Parking facilities.".

(b) EFFECTIVE DATES.—(1) Except as provided in paragraphs (2) and (3), the amendments made by this section shall take effect on the date of the enactment of this Act. 38 USC 5009 note.

(2)(A) The amendments made by this section shall not abrogate the provisions of a collective bargaining agreement which, on the date of the enactment of this Act, is in effect and includes a provision which specifies a termination date for such agreement.

(B) After the date of the enactment of this Act, if a collective bargaining agreement described in subparagraph (A) is modified, extended, or renewed, such subparagraph shall no longer, as of the date of the modification, extension, or renewal, apply to such agreement.

(C) In the case of a collective bargaining agreement which on such date of enactment is in effect but has no provision which specifies a termination date, the authorities and requirements in section 5009 of title 38, United States Code, as amended by subsection (a)(1) of this section, to establish and collect parking fees shall take effect on January 1, 1988.

(3) Section 5009 of title 38, United States Code, as amended by subsection (a)(1) of this section, shall not apply to the expenditure of funds appropriated for a fiscal year prior to fiscal year 1987 for the construction, alteration, or acquisition (including site acquisition) of a parking facility at a Veterans' Administration medical facility.

SEC. 224. REVISION OF STATE HOME CONSTRUCTION GRANT PROGRAM.

38 USC 5033.

(a) AUTHORIZATION OF APPROPRIATIONS.—The first sentence of section 5033(a) is amended to read as follows: "There are hereby authorized to be appropriated such sums as are necessary to carry out this subchapter through September 30, 1989.".

(b) PRIORITY FOR CERTAIN PROJECT APPLICATIONS.—Subsection (b) of section 5035 is amended to read as follows:

"(b)(1) Upon receipt of an application for a grant under subsection (a) of this section, the Administrator—

"(A) shall determine whether the application meets the requirements of this section and of the regulations prescribed under section 5034 of this title;

"(B) shall notify the State submitting the application whether the application conforms with those requirements and, if it does not, of the actions necessary to bring the application into conformance with those requirements; and

"(C) shall determine the priority of the project described in the application in accordance with the provisions of this subsection.

"(2) Subject to paragraphs (3) and (5)(C) of this subsection, the Administrator shall accord priority to applications in the following order:

"(A) An application from a State that has made sufficient funds available for the construction or acquisition of the project for which the grant is requested so that such project may proceed upon approval of the grant without further action required by the State to make such funds available for such purpose.

"(B) An application from a State that does not have a State home facility constructed or acquired with assistance under this subchapter (or for which such a grant has been made).

"(C) An application from a State which the Administrator determines, in accordance with criteria and procedures specified in regulations which the Administrator shall prescribe, has a greater need for nursing home or domiciliary beds than other States from which applications are received.

"(D) An application that meets such other criteria as the Administrator determines are appropriate and has established in regulations.

"(3) In according priorities to projects under paragraph (2) of this subsection, the Administrator—

"(A) shall accord priority only to projects which would involve construction or acquisition of either nursing home or domiciliary buildings; and

"(B) may not accord any priority to a project which would expand a State's capacity to furnish hospital care in a State home.

"(4) The Administrator shall establish a list of approved projects, in the order of their priority, as of July 1 of each year. The Administrator shall award grants in the order of their priority on the list during the fiscal year beginning on October 1 of the calendar year in which the list was made.

"(5)(A) The Administrator shall defer approval of an application that otherwise meets the requirements of this section if the State submitting the application does not, by the July 1 deadline (as defined in subparagraph (D) of this paragraph), demonstrate to the

satisfaction of the Administrator that the State has provided adequate financial support for construction of the project.

"(B) In a case in which approval of an application is deferred under subparagraph (A) of this paragraph, the Administrator shall select for award of a grant or grants under this subsection an application or applications which would not have been approved during the fiscal year but for the deferral and to which the Administrator accords the highest priority under paragraph (2) of this subsection.

"(C) An application deferred in accordance with the requirements of this paragraph shall be accorded priority in any subsequent fiscal year ahead of applications that had not been approved before the first day of the fiscal year in which the deferred application was first approved.

"(D) For the purposes of this paragraph, the term 'July 1 deadline' means July 1 of the fiscal year in which the State is notified by the Administrator of the availability of funding for a grant for such project.".

(c) REPEAL OF LIMIT ON GRANTS TO ANY STATE.—Section 5035(d) is amended— 38 USC 5035.

(1) by striking out "(1)" and all that follows through "shall provide for payment" and inserting in lieu thereof "The amount of a grant under this subchapter shall be paid"; and

(2) by striking out paragraph (2).

(d) TECHNICAL AMENDMENT.—Section 5031 is amended by redesignating paragraphs (a), (b), (c), and (d) as paragraphs (1), (2), (3), and (4), respectively.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on July 1, 1987. 38 USC 5031 note.

(f) DEADLINE FOR REGULATIONS.—The Administrator of Veterans' Affairs shall prescribe regulations not later than April 1, 1987, to implement the amendments made by this section. 38 USC 5035 note.

PART D—MISCELLANEOUS

SEC. 231. MODIFICATION OF CERTAIN REPORTING REQUIREMENTS.

(a) REPORTING PERIOD FOR REPORTS ON SPECIAL PAY FOR VETERANS' ADMINISTRATION PHYSICIANS AND DENTISTS.—Section 4118(g)(2)(C) is amended by striking out "December 31, 1982, and once every two years" and inserting in lieu thereof "December 31, 1988, and once every four years".

(b) CONDITIONAL ELIMINATION OF REQUIREMENT FOR REPORT ON CONTRACT DENTAL CARE.—Paragraph (4) of section 612(b) is amended—

(1) by striking out "In" after "(4)" and inserting in lieu thereof "(A) Except as provided in subparagraph (B) of this paragraph, in"; and

(2) by adding at the end the following new subparagraph:

"(B) A report under subparagraph (A) of this paragraph with respect to a fiscal year is not required if, in the documents submitted by the Administrator to the Congress in justification for the amounts included for Veterans' Administration programs in the President's Budget, the Administrator specifies with respect to contract dental care described in such subparagraph—

"(i) the actual level of expenditures for such care in the fiscal year preceding the fiscal year in which such Budget is submitted;

"(ii) a current estimate of the level of expenditures for such care in the fiscal year in which such Budget is submitted; and

"(iii) the amount included in such Budget for such care.".

38 USC 5053.

(c) REPEAL OF REQUIREMENT FOR REPORT OF EXCHANGE OF MEDICAL INFORMATION PROGRAM.—(1) Section 5053 is amended by adding at the end the following new subsection:

"(e) The Administrator shall submit to the Congress not more than 60 days after the end of each fiscal year a report on the activities carried out under this section. Each report shall include—

"(1) an appraisal of the effectiveness of the activities authorized in this section and the degree of cooperation from other sources, financial and otherwise; and

"(2) recommendations for the improvement or more effective administration of such activities.".

(2)(A) Section 5057 is repealed.

(B) The table of sections at the beginning of chapter 81 is amended by striking out the item relating to section 5057.

SEC. 232. IONIZING RADIATION REGISTRY.

38 USC 354 note.

(a) ESTABLISHMENT OF REGISTRY.—The Administrator of Veterans' Affairs shall establish and maintain a special record to be known as the "Ionizing Radiation Registry" (hereinafter in this section referred to as the "Registry").

(b) CONTENT OF REGISTRY.—Except as provided in subsection (c), the Registry shall include the following information:

(1) A list containing the name of each veteran who was exposed to ionizing radiation under the conditions described in section 610(e)(1)(B) of title 38, United States Code, and who—

(A) applies for hospital or nursing home care from the Veterans' Administration under chapter 17 of such title;

38 USC 601 *et seq.*

(B) files a claim for compensation under chapter 11 of such title on the basis of a disability which may be associated with the exposure to ionizing radiation; or

38 USC 301 *et seq.*

(C) dies and is survived by a spouse, child, or parent who files a claim for dependency and indemnity compensation under chapter 13 of such title on the basis of the exposure of such veteran to ionizing radiation.

38 USC 401 *et seq.*

(2) Medical data relating to each veteran listed in the Registry, including—

(A) the veteran's medical history, latest health status recorded by the Veterans' Administration, physical examinations, and clinical findings; and

(B) a statement describing birth defects, if any, in the natural children of the veteran.

(3) Data on claims for the compensation referred to in paragraph (1), including decisions and determinations of the Veterans' Administration relating to such claims.

(4) An estimate of the dose of radiation to which each veteran listed in the Registry was exposed under the conditions described in section 610(e)(1)(B) of such title.

(c) VETERANS SUBMITTING CLAIMS BEFORE DATE OF ENACTMENT.—If in the case of a veteran described in subsection (b)(1) the application or claim referred to in such subsection was submitted or filed before the date of the enactment of this Act, the Administrator shall

include in the Registry, to the extent feasible, such veteran's name and the data and information described in subsection (b) relating to the veteran.

(d) CONSOLIDATION OF EXISTING INFORMATION.—(1) For the purpose of establishing and maintaining the Registry, the Administrator shall compile and consolidate—

(A) relevant information maintained by the Department of Veterans' Benefits and the Department of Medicine and Surgery of the Veterans' Administration;

(B) relevant information maintained by the Defense Nuclear Agency of the Department of Defense; and

(C) any relevant information maintained by any other element of the Veterans' Administration or the Department of Defense.

(2) With respect to a veteran whose name is included in the Registry and for whom the information in the Registry is not complete, the Administrator shall include information described in paragraph (1) with respect to that veteran (A) to the extent that such information is reasonably available in records of the Veterans' Administration or Department of Defense, or (B) if such information is submitted by the veteran after the enactment of this Act.

(e) DEPARTMENT OF DEFENSE INFORMATION.—The Secretary of Defense shall furnish to the Administrator such information maintained by the Department of Defense as the Administrator considers necessary to establish and maintain the Registry.

(f) DEFINITION.—For the purpose of this section, the term "veteran" has the meaning given that term in section 101(2) of title 38, United States Code, and includes a person who died in the active military, naval, or air service. 38 USC 101.

(g) EFFECTIVE DATE.—The Registry shall be established not later than 180 days after the date of the enactment of this Act.

SEC. 233. REQUIREMENT FOR MEDICARE HOSPITALS TO PARTICIPATE IN VETERANS' ADMINISTRATION CONTRACT HEALTH-CARE PROGRAM.

(a) IN GENERAL.—Section 1866(a)(1) of the Social Security Act (42 U.S.C. 1395cc(a)(1)), as amended by section 1895(b) of the Tax Reform Act of 1986, is amended— *Ante*, p. 2931.

(1) by striking out "and" at the end of subparagraph (J);

(2) by striking out the period at the end of subparagraph (K) and inserting in lieu thereof ", and"; and

(3) by inserting after subparagraph (K) the following new subparagraph:

"(L) in the case of hospitals which provide inpatient hospital services for which payment may be made under this title, to be a participating provider of medical care under section 603 of title 38, United States Code, in accordance with such admission practices, and such payment methodology and amounts, as are prescribed under joint regulations issued by the Secretary and by the Administrator of Veterans' Affairs in implementation of such section.".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to inpatient hospital services provided pursuant to admissions to hospitals occurring after June 30, 1987. 42 USC 1395cc note.

(c) REPORT.—(1) The Secretary of Health and Human Services shall periodically submit to the Congress a report on the number of hospitals that have terminated or failed to renew an agreement 42 USC 1395cc note.

42 USC 1395cc.

under section 1866 of the Social Security Act as a result of the additional conditions imposed under the amendments made by subsection (a).

(2) Not later than October 1, 1987, the Administrator of Veterans' Affairs shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report regarding implementation of this section. Thereafter, the Administrator shall notify such committees if any hospital terminates or fails to renew an agreement described in paragraph (1) for the reasons described in that paragraph.

SEC. 234. PROHIBITION AGAINST EXCESSING OF CERTAIN VETERANS' ADMINISTRATION PROPERTIES.

Real property.

(a) IN GENERAL.—The Administrator of Veterans' Affairs may not take any action before January 1, 1988, in connection with declaring as excess to the needs of the Veterans' Administration, transferring to another Federal agency, or otherwise relinquishing any Veterans' Administration interest in or disposing of any portion of the real property described in subsection (b). Any such action taken before the date of the enactment of this Act shall be without effect. If on the date of the enactment of this Act, such property (or any portion thereof) is under the jurisdiction of an agency of the United States other than the Veterans' Administration, such property shall revert back to the jurisdiction of the Veterans' Administration.

California.

(b) DESCRIPTION OF PROPERTY.—The property referred to in subsection (a) is certain land and improvements at the Veterans' Administration Medical Center, West Los Angeles, California (consisting of approximately 109 acres), and at the Veterans' Administration Medical Center, Sepulveda, California (consisting of approximately 46 acres), described in letters dated February 5, 1986 (and enclosed maps), submitted by the Administrator to the Committees on Veterans' Affairs of the Senate and House of Representatives pursuant to section 5022(a)(2) of title 38, United States Code.

38 USC 612 note.

SEC. 235. REPORT ON TREATMENT AND SERVICES FOR CHRONICALLY MENTALLY ILL VETERANS.

(a) REPORT REQUIREMENT.—The Administrator shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the Administrator's current use of authority—

(1) to contract for care and treatment, and for rehabilitative services, for chronically mentally ill veterans through—

(A) halfway houses;

(B) therapeutic communities;

(C) psychiatric residential treatment centers;

(D) other community-based treatment facilities; and

(2) to furnish home health services to such veterans in such veterans' homes or in other settings in which they reside (as provided for in section 612 of title 38, United States Code, as amended by section 202).

(b) DEFINITION.—For purposes of subsection (a), the term "chronically mentally ill veterans" means veterans who are eligible for health care from the Veterans' Administration and who are suffering from chronic mental illness disabilities.

(c) DEADLINE FOR SUBMISSION.—The report under subsection (a) shall be submitted not later than December 15, 1987.

SEC. 236. DESIGNATION OF VETERANS' ADMINISTRATION MEDICAL CENTER IN PHOENIX, ARIZONA.

The Veterans' Administration Medical Center in Phoenix, Arizona, shall after the date of the enactment of this Act be known and designated as the "Carl T. Hayden Veterans' Administration Medical Center". Any reference to such medical center in any law, regulation, map, document, record, or other paper of the United States shall after such date be deemed to be a reference to the Carl T. Hayden Veterans' Administration Medical Center.

SEC. 237. TECHNICAL AMENDMENTS.

(a) Section 610(a)(1)(C) is amended by inserting "who is in receipt of, or" after "veteran". 38 USC 610.

(b)(1) Section 610(f)(3) is amended by adding at the end the following new subparagraph:

"(F) A veteran may not be required to make a payment under this subsection or section 612(f) of this title for any days of care in excess of 360 days of care during any 365-calendar-day period.".

(2) Section 612(f)(4) is amended—

(A) by redesignating subparagraphs (D), (E), and (F) as subparagraphs (E), (F), and (G), respectively; and

(B) by inserting after subparagraph (C) the following new subparagraph (D):

"(D) A veteran may not be required to make a payment under this subsection if such payment would result in the veteran paying, under this subsection and section 610(f) of this title, a total amount greater than four times the amount of the inpatient Medicare deductible for care or services, or any combination thereof, furnished under this chapter during any 365-calendar-day period.".

(c) The amendments made by this section shall take effect as of April 7, 1986. Effective date. 38 USC 610 note.

TITLE III—EDUCATION AND EMPLOYMENT

PART A—EDUCATION

SEC. 301. APPRENTICESHIP OR OTHER ON-JOB TRAINING UNDER THE NEW GI BILL.

(a) IN GENERAL.—Section 1402(3) is amended to read as follows:

"(3) The term 'program of education'—

"(A) has the meaning given such term in section 1652(b) of this title, and

"(B) includes a full-time program of apprenticeship or of other on-job training approved as provided in clause (1) or (2), as appropriate, of section 1787(a) of this title.".

(b) AMOUNT OF ASSISTANCE.—Section 1432 is amended by adding at the end the following new subsection:

"(c)(1) Except as provided in paragraph (2) of this subsection, the amount of the monthly educational assistance allowance payable to an individual pursuing a full-time program of apprenticeship or other on-job training under this chapter is—

"(A) for each of the first six months of the individual's pursuit of such program, 75 percent of the monthly educational assistance allowance otherwise payable to such individual under this chapter;

"(B) for each of the second six months of the individual's pursuit of such program, 55 percent of such monthly educational assistance allowance; and

"(C) for each of the months following the first 12 months of the individual's pursuit of such program, 35 percent of such monthly educational assistance allowance.

"(2) In any month in which an individual pursuing a program of education consisting of a program of apprenticeship or other on-job training fails to complete 120 hours of training, the amount of monthly educational assistance allowance payable under this chapter to the individual shall be limited to the same proportion of the applicable rate determined under paragraph (1) of this subsection as the number of hours worked during such month, rounded to the nearest eight hours, bears to 120 hours.

"(3) For each month that an individual is paid a monthly educational assistance allowance under this chapter, the individual's entitlement under this chapter shall be charged at the rate of—

"(A) 75 percent of a month in the case of payments made in accordance with paragraph (1)(A) of this subsection;

"(B) 55 percent of a month in the case of payments made in accordance with paragraph (1)(B) of this subsection; and

"(C) 35 percent of a month in the case of payments made in accordance with paragraph (1)(C) of this subsection.".

38 USC 1434.

(c) CONFORMING AMENDMENT.—Section 1434(a) is amended by striking out the parenthetical matter in the first sentence and inserting in lieu thereof "(with the exception of sections 1780(c), 1780(g), and 1787)".

(d) CLERICAL AMENDMENTS.—(1) The heading of section 1432 is amended to read as follows:

"§ 1432. Limitations on educational assistance for certain individuals".

(2) The item relating to such section in the table of sections at the beginning of chapter 30 of such title is amended to read as follows:

"1432. Limitations on educational assistance for certain individuals.".

SEC. 302. EDUCATIONAL ASSISTANCE FOR CORRESPONDENCE COURSES UNDER THE NEW GI BILL.

Section 1434 is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

"(c) When an eligible individual is pursuing a program of education under this chapter by correspondence, the individual's entitlement under this chapter shall be charged at the rate of one month's entitlement for each month of benefits paid to the individual.".

SEC. 303. PROVISIONS RELATING TO REDUCTION OF PAY IN THE NEW GI BILL.

(a) IN GENERAL.—(1) Section 1411(b) is amended by striking out the second sentence and inserting in lieu thereof the following: "Any amount by which the basic pay of an individual is reduced under this subsection shall revert to the Treasury and shall not, for purposes of any Federal law, be considered to have been received by or to be within the control of such individual."

(2) Section 1412(c) is amended by striking out the second sentence and inserting in lieu thereof the following: "Any amount by which the basic pay of an individual is reduced under this subsection shall revert to the Treasury and shall not, for purposes of any Federal law, be considered to have been received by or to be within the control of such individual.". 38 USC 1412.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to any reduction in basic pay made under section 1411(b) or 1412(c) of title 38, United States Code, after December 31, 1985. 38 USC 1411 note.

SEC. 304. ADVISORY COMMITTEE AMENDMENTS.

Section 1792 is amended—

(1) in the first sentence of subsection (a)—

(A) by striking out "an advisory committee" and inserting in lieu thereof "a Veterans' Advisory Committee on Education"; and

(B) by inserting "30," after "chapter"; and

(2) in the first sentence of subsection (b), by inserting "30," after "chapters".

SEC. 305. CERTIFICATION UNDER NEW GI BILL.

Section 1434(b) is amended to read as follows:

"(b) The Administrator may, pursuant to regulations which the Administrator shall prescribe, determine and define enrollment in, pursuit of, and attendance at, any program of education by an individual enrolled in or pursuing a program of education under this chapter for any period for which the individual receives educational assistance under this chapter. Subject to such reports and proof as the Administrator may require to show an individual's enrollment in and satisfactory pursuit of such individual's program, the Administrator may withhold payment of benefits to such individual until the required proof is received and the amount of the payment is appropriately adjusted.". Regulations.

SEC. 306. BAR TO DUPLICATION OF BENEFITS.

(a) IN GENERAL.—Section 1433(a)(1) is amended by striking out "chapter 31" and all that follows through "both programs" and inserting in lieu thereof "chapter 31, 32, or 35 of this title, under chapter 106 or 107 of title 10, or under the Hostage Relief Act of 1980 (Public Law 96-449; 5 U.S.C. 5561 note) may not receive assistance under two or more of such programs".

(b) SELECTED RESERVE SERVICE.—Section 1433(c) is amended to read as follows:

"(c) An individual who serves in the Selected Reserve may not receive credit for such service under both the program established by this chapter and the program established by chapter 106 of title 10 but shall elect (in such form and manner as the Administrator may prescribe) the program to which such service is to be credited.". 10 USC 2131 *et seq.*

SEC. 307. ADJUSTMENT OF DELIMITING PERIOD FOR INDIVIDUALS ENTITLED TO CERTAIN COMBINED BENEFITS.

(a) IN GENERAL.—(1) Section 1411(a)(1)(B) is amended by inserting "and was on active duty on October 19, 1984, and without a break in service since October 19, 1984," after "title".

(2) Section 1412(a)(1)(B) is amended by inserting "and was on active duty on October 19, 1984, and without a break in service since October 19, 1984," after "title".

(b) CONFORMING AMENDMENT.—Section 1431 is amended—

(1) by striking out "(d)" in subsection (a) and inserting in lieu thereof "(e)";

(2) by redesignating subsection (e) as subsection (f); and

(3) by inserting after subsection (d) the following new subsection;

38 USC 1411, 1412.

"(e) In the case of an individual described in section 1411(a)(1)(B) or 1412(a)(1)(B) of this title who is entitled to basic educational assistance under this chapter, the 10-year period prescribed in subsection (a) of this section shall be reduced by an amount of time equal to the amount of time that such individual was not serving on active duty during the period beginning on January 1, 1977, and ending on October 18, 1984.".

SEC. 308. WORK-STUDY ALLOWANCE UNDER THE NEW GI BILL AND THE POST-VIETNAM ERA VETERANS' EDUCATIONAL ASSISTANCE PROGRAM.

(a) NEW GI BILL.—The first sentence of section 1434(a) is amended by striking out "and 1683" and inserting in lieu thereof "1683, and 1685".

(b) POST-VIETNAM ERA VETERANS' EDUCATIONAL ASSISTANCE PROGRAM.—Section 1641 is amended by inserting "1685," after "1683,".

(c) CONFORMING AMENDMENT.—The first sentence of section 1685(b) is amended by striking out "education or training under chapters 31 and 34" and inserting in lieu thereof "rehabilitation, education, or training under chapter 30, 31, 32, or 34".

SEC. 309. TERMINATION OF ENROLLMENTS IN POST-VIETNAM ERA VETERANS' EDUCATIONAL ASSISTANCE PROGRAM.

(a) IN GENERAL.—(1) Section 1601(1) is amended by inserting "and before July 1, 1985," after "December 31, 1976,".

(2) Section 1602(1)(A) is amended—

(1) by inserting "and before July 1, 1985," after "January 1, 1977," both places it appears; and

(2) by striking out "such date" both places it appears and inserting in lieu thereof "January 1, 1977".

(3) Section 1621(a) is amended—

(A) by inserting "and before July 1, 1985," after "January 1, 1977,"; and

(B) by inserting "before July 1, 1985" before the period at the end of the first sentence.

38 USC 1621 note.

(b) CONFORMING REPEAL.—Section 704 of the Veterans' Educational Assistance Act of 1984 (title VII of Public Law 98-525; 98 Stat. 2564) is repealed.

38 USC 1601 note.

(c) EXCEPTION.—Notwithstanding the amendments made by subsection (a), any individual on active duty in the Armed Forces who was eligible on June 30, 1985, to enroll in the program established by chapter 32 of title 38, United States Code, may enroll, before April 1, 1987, in such program.

38 USC 1601 *et seq.*

Uniformed services.

(d) NOTICE REQUIREMENT.—The Secretary of Defense, and the Secretary of Transportation with respect to the Coast Guard when it is not operating as a service in the Navy, shall carry out activities for the purpose of notifying, to the maximum extent feasible, individuals described in subsection (c) of the opportunity provided by such subsection.

SEC. 310. ON-JOB TRAINING UNDER THE POST-VIETNAM ERA VETERANS' EDUCATIONAL ASSISTANCE PROGRAM.

(a) IN GENERAL.—Section 1602 is amended— 38 USC 1602.

(1) by striking out paragraph (2) and inserting in lieu thereof the following:

"(2) The term 'program of education'—

"(A) has the meaning given such term in section 1652(b) of this title, and

"(B) includes a full-time program of apprenticeship or other on-job training approved as provided in clause (1) or (2), as appropriate, of section 1787(a) of this title."; and

(2) by adding at the end the following new paragraphs:

"(4) The term 'educational institution' has the meaning given such term in section 1652(c) of this title.

"(5) The term 'training establishment' has the meaning given such term in section 1652(e) of this title.".

(b) AMOUNT OF PAYMENT.—(1) Section 1631(a)(2) is amended by striking out "The" and inserting in lieu thereof "Except as provided in section 1633 of this title and subject to section 1641 of this title, the".

(2) Subchapter III of chapter 32 is amended by adding at the end the following new section:

"§ 1633. Apprenticeship or other on-job training 38 USC 1633.

"(a) Except as provided in subsection (b) of this section, the amount of the monthly benefit payment to an individual pursuing a full-time program of apprenticeship or other on-job training under this chapter is—

"(1) for each of the first six months of the individual's pursuit of such program, 75 percent of the monthly benefit payment otherwise payable to such individual under this chapter;

"(2) for each of the second six months of the individual's pursuit of such program, 55 percent of such monthly benefit payment; and

"(3) for each of the months following the first 12 months of the individual's pursuit of such program, 35 percent of such monthly benefit payment.

"(b) In any month in which an individual pursuing a program of education consisting of a program of apprenticeship or other on-job training fails to complete 120 hours of training, the amount of the monthly benefit payment payable under this chapter to the individual shall be limited to the same proportion of the applicable rate determined under subsection (a) of this section as the number of hours worked during such month, rounded to the nearest eight hours, bears to 120 hours.

"(c) For each month that an individual is paid a monthly benefit payment under this chapter, the individual's entitlement under this chapter shall be charged at the rate of—

"(1) 75 percent of a month in the case of payments made in accordance with subsection (a)(1) of this section;

"(2) 55 percent of a month in the case of payments made in accordance with subsection (a)(2) of this section; and

"(3) 35 percent of a month in the case of payments made in accordance with subsection (a)(3) of this section.".

(3) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1632 the following new item:

"1633. Apprenticeship or other on-job training.".

38 USC 1641.

(c) ADMINISTRATION.—Section 1641 is amended—

(1) by inserting "(a)" before "The";

(2) by striking out "sections 1777, 1780(c), and 1787) shall be applicable to the program." and inserting in lieu thereof "section 1787) shall be applicable with respect to individuals who are pursuing programs of education while serving on active duty."; and

(3) by adding at the end the following new subsection:

"(b) The provisions of sections 1663, 1670, 1671, 1673, 1674, 1676, 1683, and 1691(a)(1) of this title and the provisions of chapter 36 of this title (with the exception of section 1787) shall be applicable with respect to individuals who are pursuing programs of education following discharge or release from active duty.".

38 USC 1770.

SEC. 311. DURATION OF AND LIMITATIONS ON ENTITLEMENT TO POST-VIETNAM ERA VETERANS' EDUCATIONAL ASSISTANCE.

The text of section 1632 is amended to read as follows:

"(a)(1) Except as provided in paragraphs (2) and (3) of this subsection, educational assistance benefits shall not be afforded an eligible veteran under this chapter more than 10 years after the date of such veteran's last discharge or release from active duty.

"(2)(A) If any eligible veteran was prevented from initiating or completing such veteran's chosen program of education during the delimiting period determined under paragraph (1) of this subsection because of a physical or mental disability which was not the result of such veteran's own willful misconduct, such veteran shall, upon application made in accordance with subparagraph (B) of this paragraph, be granted an extension of the applicable delimiting period for such length of time as the Administrator determines, from the evidence, that such veteran was so prevented from initiating or completing such program of education.

"(B) An extension of the delimiting period applicable to an eligible veteran may be granted under subparagraph (A) of this paragraph by reason of the veteran's mental or physical disability only if the veteran submits an application for such extension to the Administrator within one year after (i) the last date of the delimiting period otherwise applicable to the veteran under paragraph (1) of this subsection, or (ii) the termination date of the period of the veteran's mental or physical disability, whichever is later.

"(3) When an extension of the applicable delimiting period is granted an eligible veteran under paragraph (2) of this subsection, the delimiting period with respect to such veteran shall again begin to run on the first day after such veteran's recovery from such disability on which it is reasonably feasible, as determined in accordance with regulations prescribed by the Administrator, for such veteran to initiate or resume pursuit of a program of education with educational assistance under this chapter.

"(b)(1) In the event that an eligible veteran has not utilized any or all of such veteran's entitlement by the end of the delimiting period applicable to the veteran under subsection (a) of this section, such eligible veteran is automatically disenrolled.

"(2)(A) Any contributions which were made by a veteran disenrolled under paragraph (1) of this subsection and remain in the fund shall be refunded to the veteran after notice of disenrollment is transmitted to the veteran and the veteran applies for such refund.

"(B) If no application for refund of contributions under subparagraph (A) of this paragraph is received from a disenrolled veteran within one year after the date the notice referred to in such subparagraph is transmitted to the veteran, it shall be presumed, for the purposes of section 1322(a) of title 31, that the veteran's whereabouts is unknown and the funds shall be transferred as provided in such section.".

SEC. 312. EDUCATIONAL AND VOCATIONAL COUNSELING.

Section 1663 is amended by inserting after the first sentence the following: "In any case in which the Administrator has rated the veteran as being incompetent, such counseling shall be required to be provided to the veteran prior to the selection of a program of education or training.". 38 USC 1663.

SEC. 313. DELIMITING PERIOD UNDER THE SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE PROGRAM.

Section 1712(b) is amended by adding at the end the following:

"(3)(A) Notwithstanding the provisions of paragraph (1) of this subsection, any eligible person (as defined in clause (B) or (D) of section 1701(a)(1) of this title) may, subject to the approval of the Administrator, be permitted to elect a date referred to in subparagraph (B) of this paragraph to commence receiving educational assistance benefits under this chapter. The date so elected shall be the beginning date of the delimiting period applicable to such person under this section.

"(B) The date which an eligible person may elect under subparagraph (A) of this paragraph is any date during the period beginning on the date the person became an eligible person within the meaning of clause (B) or (D) of section 1701(a)(1) of this title and ending on the date determined under subparagraph (A), (B), or (C) of paragraph (1) of this subsection to be applicable to such person.".

SEC. 314. ELIMINATION OF THE REQUIREMENT FOR AN EDUCATION PLAN FOR SURVIVORS AND DEPENDENTS.

(a) IN GENERAL.—Section 1720 is amended to read as follows:

"§ 1720. Educational and vocational counseling

"The Administrator may, upon request, arrange for educational or vocational counseling for persons eligible for benefits under this chapter to assist such persons in selecting their educational, vocational, or professional objectives and in developing their programs of education.".

(b) CONFORMING AMENDMENTS.—(1) Section 1721 is amended—

(A) by striking out "finally";

(B) by striking out clause (1); and

(C) by redesignating clauses (2), (3), (4), and (5) as clauses (1), (2), (3), and (4), respectively.

(2) The heading of such section is amended to read as follows:

"§ 1721. Approval of application".

(3) The items relating to sections 1720 and 1721 in the table of sections at the beginning of chapter 35 are amended to read as follows:

"1720. Educational and vocational counseling.
"1721. Approval of application.".

SEC. 315. MEASUREMENT OF CERTAIN NONCOLLEGE DEGREE COURSES.

38 USC 1780.

(a) IN GENERAL.—(1) Section 1780(a) is amended—

(A) in clause (1), by inserting ", or a course that meets the requirements of section 1788(a)(7) of this title," after "degree"; and

(B) in clause (2), by inserting "courses that meet the requirements of section 1788(a)(7) of this title and" after "excluding".

(2) Section 1788 is amended—

(A) in subsection (a)—

(i) by striking out "and" at the end of clause (5);

(ii) by striking out the period at the end of clause (6) and inserting in lieu thereof "; and"; and

(iii) by inserting after clause (6) the following new clause:

"(7) an institutional course not leading to a standard college degree, offered by a fully accredited institution of higher learning in residence on a standard quarter- or semester-hour basis, shall be measured as full time on the same basis as provided in clause (4) of this subsection if (A) such course is approved pursuant to section 1775 of this title, and (B) a majority of the total credits required for the course is derived from unit courses or subjects offered by the institution as part of a course, so approved, leading to a standard college degree."; and

(B) in subsection (c), by striking out "(4)".

(b) DETERMINATION IN CERTAIN CASES.—Section 1788 is amended by inserting at the end the following new subsection:

"(e) For the purpose of determining whether a course—

"(1) which is offered by an institution of higher learning, and

"(2) for which such institution requires one or more unit courses or subjects for which credit is granted toward a standard college degree

will, during the semester (or quarter or other applicable portion of the academic year) when such unit course or subject is being pursued, be considered full time under clause (1) or (2) of subsection (a) of this section, each of the numbers of hours specified in such clause shall be deemed to be reduced, during such semester (or other portion of the academic year), by the percentage described in the following sentence and rounded as the Administrator may prescribe. Such percentage is the percentage that the number of semester hours (or the equivalent thereof) represented by such unit course or subject is of the number of semester hours (or the equivalent thereof) which, under clause (4) of such subsection, constitutes a full-time institutional undergraduate course at such institution.".

SEC. 316. PAYMENT OF EDUCATIONAL ASSISTANCE FOR CERTAIN LESS-THAN-HALF-TIME TRAINING.

The first sentence of section 1780(f) is amended by striking out "during" and inserting in lieu thereof "not later than the last day of".

SEC. 317. PROHIBITION ON BENEFITS UNDER MORE THAN ONE EDUCATIONAL ASSISTANCE PROGRAM.

Section 1781(b) is amended by striking out "for the pursuit of the same program of education". 38 USC 1781.

SEC. 318. REPORTING REQUIREMENTS FOR EDUCATIONAL INSTITUTIONS.

Section 1784(a) is amended—

(1) by striking out "(a) The" and inserting in lieu thereof "(a)(1) Except as provided in paragraph (2) of this subsection, the"; and

(2) by adding at the end the following new paragraph:

"(2)(A) In the case of a program of independent study pursued on less than a half-time basis in an educational institution, the Administrator may approve a delay by the educational institution in reporting the enrollment or reenrollment of an eligible veteran or eligible person until the end of the term, quarter, or semester if the educational institution requests the delay and the Administrator determines that it is not feasible for the educational institution to monitor interruption or termination of the veteran's or eligible person's pursuit of such program.

"(B) An educational institution which, pursuant to subparagraph (A) of this paragraph, is delaying the reporting of the enrollment or reenrollment of a veteran shall provide the veteran with notice of the delay at the time that the veteran enrolls or reenrolls.".

SEC. 319. PROHIBITION OF A TERM-BY-TERM CERTIFICATION REQUIREMENT.

Section 1784(a), as amended by section 318 of this Act, is further amended by adding at the end the following new paragraph:

"(3)(A) Subject to subparagraph (B) of this paragraph, an educational institution offering courses on a term, quarter, or semester basis may certify the enrollment of a veteran who is not on active duty, or of an eligible person, in such courses for more than one term, quarter, or semester at a time, but not for a period extending beyond the end of a school year (including the summer enrollment period).

"(B) Subparagraph (A) of this paragraph shall not apply with respect to any term, quarter, or semester for which the veteran or eligible person is enrolled on a less than half-time basis and shall not be construed as restricting the Administrator from requiring that an educational institution, in reporting an enrollment for more than one term, quarter, or semester, specify the dates of any intervals within or between any such terms, quarters, or semesters.".

SEC. 320. COMMISSION TO ASSESS VETERANS' EDUCATION POLICY. 38 USC 1792 note.

(a) ESTABLISHMENT AND MEMBERS.—(1) There is established a Commission on Veterans' Education Policy (hereafter in this section referred to as the "Commission").

(2)(A) The Commission shall consist of 11 members, 10 of whom shall be appointed, not later than March 1, 1987, by the Administrator of Veterans' Affairs in consultation with the chairmen and the ranking minority members of the Committees on Veterans' Affairs of the Senate and of the House of Representatives (hereafter in this section referred to as "the Committees"), and one of whom shall be the chairman of the Advisory Committee on Education established under section 1792 of title 38, United States Code (as amended by section 304).

(B) The members of the Commission—

(i) shall be broadly representative of entities engaged in providing education and training and of veterans' service organizations; and

(ii) shall be selected on the basis of their knowledge of and experience in education and training policy and the implementation of such policy with respect to programs of assistance administered by the Veterans' Administration.

(3) The Administrator of Veterans' Affairs, the ex officio members of the Advisory Committee on Education referred to in paragraph (2)(A), and the chairmen and ranking minority members of the Committees (or, in the case of any such individual, a designee of any such individual) shall be ex officio, nonvoting members of the Commission.

(4)(A) The Administrator shall designate a member from among the voting members of the Commission to chair the Commission.

(B) The chairman of the Commission, with the concurrence of the Commission, shall appoint an executive director, who shall be the chief executive officer of the Commission and shall perform such duties as are prescribed by the Commission.

(C) The Administrator shall furnish the Commission with such professional, technical, and clerical staff and services and administrative support as the Commission determines necessary for the Commission to carry out the provisions of this section effectively.

(b) FIRST REPORT.—(1) Not later than 18 months after the date on which at least 8 members of the Commission have been appointed, the Commission shall submit a report on the Commission's findings and recommendations on the matters described in paragraph (2) of this subsection to the Administrator and the Committees.

(2) The report required by paragraph (1) shall include the Commission's findings, views, and recommendations on the following matters:

(A) The need for distinctions between certificate-granting courses and degree-granting courses.

(B) The measurement of courses for the purposes of payment of educational assistance benefits.

(C) The vocational value of courses offered through home study.

(D) The role of innovative and nontraditional programs of education and the manner in which such programs should be treated for purposes of payment of educational assistance benefits by the Veterans' Administration, including courses that result in the achievement of continuing education units.

(E) Such other matters relating to administration of chapters 30, 31, 32, 34, 35, and 36 of title 38, United States Code, by the Veterans' Administration as (i) the Commission considers appropriate or necessary, or (ii) are suggested by the Administrator or, concurrently, by the chairmen and ranking minority members of the Committees.

38 USC 1401 *et seq.*, 1500 *et seq.*, 1601 *et seq.*, 1651 *et seq.*, 1700 *et seq.*, 1770 *et seq.*

(c) INTERIM AND FINAL REPORTS.—(1) Not later than 6 months after the date on which the report is submitted under subsection (b), the Administrator shall submit an interim report to the Committees. The interim report shall contain—

(A) the Administrator's views on the desirability, feasibility, and cost of implementing each of the Commission's recommendations, and the actions taken or planned with respect to the implementation of such recommendations;

(B)(i) the Administrator's views on any legislation or regulations proposed by the Commission, (ii) the Administrator's views on the need for any alternative or additional legislation or regulations to implement the Commission's recommendations, (iii) the Administrator's recommendations for any such alternative or additional legislation, (iv) the proposed text of any regulations referred to in subclause (i) or (ii) which the Administrator considers necessary and the proposed text of any legislation referred to in such subclause which is recommended by the Administrator, and (v) a cost estimate for the implementation of any regulations and legislation referred to in such subclause; and

(C) any other proposals that the Administrator considers appropriate in light of the Commission's report.

(2) Not later than 90 days after the date on which the Administrator's interim report is submitted under paragraph (1), the Commission shall submit a report to the Administrator and the Committees containing the Commission's views on the Administrator's interim report.

(3) Not later than two years after the date on which the Commission's report is submitted under subsection (b), the Administrator shall submit a final report to the Committees. The final report shall include the actions taken with respect to the recommendations of the Commission and any further recommendations the Administrator considers appropriate.

(d) TERMINATION.—The Commission shall terminate 90 days after the date on which the Administrator submits the final report required by subsection (c)(3).

SEC. 321. TECHNICAL AND CLERICAL AMENDMENTS.

Title 38 is amended as follows:

(1) Section 1411(a) is amended—

(A) in clause (1)(A)(ii)(II), by inserting "continuous" after "months of" both places it appears; and

(B) in clause (1)(B)(ii)(II), by inserting "continuous" after "months of".

(2) Section 1412 is amended—

(A) in subsection (a), by striking out "subsection (c)" and inserting in lieu thereof "subsection (d)"; and

(B) in subsection (b)(1), by inserting "such" after "three and one-half years of".

(3) Section 1413 is amended—

(A) in subsection (a)(2), by inserting the following before the period at the end: "after the date of the beginning of the period for which the individual's basic pay is reduced under section 1411(b) of this title, in the case of an individual described in section 1411(a)(1)(A)(ii)(I) of this title, or after June 30, 1985, in the case of an individual described in section 1411(a)(1)(B)(ii)(I) of this title"; and

(B) in subsection (b)—

(i) by inserting in clause (1) after "individual" the following: "after the date of the beginning of the period for which such individual's basic pay is reduced under section 1412(c) of this title, in the case of an individual described in section 1412(a)(1)(A), or after June 30, 1985, in the case of an individual described in section 1412(a)(1)(B) of this title"; and

(ii) by inserting "after the applicable date specified in clause (1) of this subsection" after "Selected Reserve" in clause (2).

38 USC 1416.

(4) The text of section 1416 is amended to read as follows:

"(a) A member of the Armed Forces who—

"(1) first becomes a member or first enters on active duty as a member of the Armed Forces after June 30, 1985, and does not make an election under section 1411(c)(1) or section 1412(d)(1);

"(2) completes at least two years of service on active duty after such date;

"(3) after such service, continues on active duty or in the Selected Reserve without a break in service (except as described in section 1412(b)(2) of this title); and

"(4) but for section 1411(a)(1)(A)(i)(I) or 1412(a)(1)(A)(ii) of this title would be eligible for basic educational assistance,

may receive educational assistance under this chapter for enrollment in an approved program of education while continuing to perform the duty described in section 1411(a)(1)(A)(i)(I) or 1412(a)(1)(A)(ii) of this title.

"(b) A member of the Armed Forces who—

38 USC 1651 *et seq.*

"(1) as of December 31, 1989, is eligible for educational assistance benefits under chapter 34 of this title;

"(2) after June 30, 1985, has served the two years required by section 1412(a)(1)(B)(i); and

"(3) but for section 1412(a)(1)(B)(ii) of this title would be eligible for basic educational assistance,

may, after December 31, 1989, receive educational assistance under this chapter for enrollment in an approved program of education while continuing to perform the duty described in section 1412(a)(1)(B)(ii) of this title.".

(5) Section 1421 is amended by striking out "in addition to" each place it appears in subsections (a)(1) and (b)(1) and inserting in lieu thereof "after".

(6) Section 1421(c)(1) is amended by striking out "his" and inserting in lieu thereof "the member's".

(7)(A) Subsection (a) of section 1431 is amended by striking out "(d)" and inserting in lieu thereof "(e)".

(B) Subsection (b) of such section is amended—

(i) by striking out "subchapter II or III of";

(ii) by striking out "of such subchapter" and inserting in lieu thereof "of this chapter";

(iii) by striking out "(1)" after "before"; and

(iv) by striking out "or (2)" and all that follows through "1412(a)(3) of this title,".

(C) Subsection (e)(2) of such section is amended by inserting "not" after "educational institution".

(8) Section 1435(b)(2) is amended by striking out "section 1415(a)" and inserting in lieu thereof "subsection (a) or (b) of section 1415".

(9) Section 1781(b) is amended by striking out "Chapter 107" in clause (2) and inserting in lieu thereof "Chapters 106 and 107".

(10) Section 3013 is amended by inserting "30," after "chapters".

(11) Section 3103A(b)(3) is amended—

(A) by striking out "or" at the end of clause (D);

(B) by striking out the period at the end of clause (E) and inserting in lieu thereof "; or"; and

(C) by adding at the end the following new clause:

"(F) to benefits under chapter 30 of this title in the case of a person entitled to benefits under such chapter by reason of section 1411(a)(1)(A)(ii)(II) of this title.". 38 USC 1401 *et seq.*

PART B—EMPLOYMENT AND OTHER PROGRAMS

SEC. 331. EMPLOYMENT RIGHTS OF CERTAIN INDIVIDUALS.

Section 2021(b)(3) is amended—

(1) by inserting "seeks or" after "who";

(2) by inserting "hiring," after "shall not be denied"; and

(3) by inserting a comma after "employment" the first place it appears.

SEC. 332. VETERANS' READJUSTMENT APPOINTMENTS.

Section 2014(b)(2) is amended by striking out "September 30, 1986" and inserting in lieu thereof "December 31, 1989".

SEC. 333. EXTENSION OF PROGRAM OF INDEPENDENT LIVING SERVICES AND ASSISTANCE.

(a) EXTENSION OF AUTHORITY AND CLARIFYING AMENDMENT.—(1) Section 1520(a) is amended—

(A) in paragraphs (1), (5), and (6), by striking out "1985" each place it appears and inserting in lieu thereof "1989"; and

(B) in paragraph (2), by inserting "currently" after "goal".

(b) CONFORMING AMENDMENTS.—(1) Paragraphs (6)(B) and (9)(A)(i) of section 1501 are amended by inserting "currently" after "be".

(2) Section 1503(d) is amended by inserting "currently" after "goal".

(3) Section 1505 is amended—

(A) in subsection (a), by inserting "currently" after "whether it";

(B) in subsection (b), by inserting "current" after "of the"; and

(C) in subsection (d), by inserting "currently" after "goal".

(4) Section 1506 is amended—

(A) in subsection (a)(2)(B), by inserting "currently" after "goal";

(B) in subsection (b), by inserting "currently" after "goal";

(C) in subsection (c), by inserting "currently" after "goal" the first place it appears; and

(D) in subsection (d)—

(i) in the first sentence, by inserting "currently" after "veteran"; and

(ii) in the third sentence, by inserting "currently" after "goal" and after "achievement" the second place it appears.

(5) Section 1509 is amended by inserting "currently" after "veteran" the first place it appears.

(6) The heading for section 1520 is amended by striking out "**Pilot Program**" and inserting in lieu thereof "**Program**".

(7) The item relating to section 1520 in the table of sections at the beginning of chapter 31 is amended by striking out "Pilot program" and inserting in lieu thereof "Program".

(c) REPORT.—Section 1520(b) is amended to read as follows:

"(b) Not later than February 1, 1989, the Administrator shall submit to the Committees on Veterans' Affairs of the Senate and the

House of Representatives statistical data regarding veterans' participation in the program conducted under subsection (a) of this section during fiscal years 1987 and 1988 and any recommendations of the Administrator for administrative or legislative action or both regarding the program.".

TITLE IV—HOUSING PROGRAMS AND NATIONAL CEMETERIES

PART A—HOUSING

SEC. 401. SPECIALLY ADAPTED HOUSING.

38 USC 801.

(a) IN GENERAL.—Section 801(b)(1) is amended by inserting before the period the following: "or in acquiring a residence already adapted with special features determined by the Administrator to be reasonably necessary for the veteran because of such disability".

(b) CONFORMING AMENDMENT.—Section 802(b)(1) is amended by striking out "cost" and inserting in lieu thereof "cost, or, in the case of a veteran acquiring a residence already adapted with special features, the fair market value,".

SEC. 402. CREDIT UNDERWRITING AND LOAN PROCESSING STANDARDS.

(a) IN GENERAL.—Section 1810(b)(3) is amended by inserting before the semicolon at the end the following: ", as determined in accordance with the credit underwriting standards established pursuant to subsection (g) of this section".

(b) DEFINITION AND STANDARDS.—Section 1810 is amended by adding at the end the following new subsection:

"(g)(1) For the purposes of this subsection, the term 'veteran', when used with respect to a loan guaranteed or to be guaranteed under this chapter, includes the veteran's spouse if the spouse is jointly liable with the veteran under the loan.

Regulations.

"(2) For the purpose of determining whether a veteran meets the standards referred to in subsection (b)(3) of this section and section 1819(e)(2) of this title, the Administrator shall prescribe regulations which establish—

"(A) credit underwriting standards to be used in evaluating loans to be guaranteed under this chapter; and

"(B) standards to be used by lenders in obtaining credit information and processing loans to be guaranteed under this chapter.

"(3) In the regulations prescribed under paragraph (2) of this subsection, the Administrator shall establish standards that include—

"(A) debt-to-income ratios to apply in the case of the veteran applying for the loan;

"(B) criteria for evaluating the reliability and stability of the income of the veteran applying for the loan; and

"(C) procedures for ascertaining the monthly income required by the veteran to meet the anticipated loan payment terms.

"(4)(A) Any lender making a loan under this chapter shall certify, in such form as the Administrator shall prescribe, that the lender has complied with the credit information and loan processing standards established under paragraph (2)(B) of this subsection, and that, to the best of the lender's knowledge and belief, the loan meets the underwriting standards established under paragraph (2)(A) of this subsection.

"(B) Any lender who knowingly and willfully makes a false certification under subparagraph (A) of this paragraph shall be liable to the United States Government for a civil penalty equal to two times the amount of the Administrator's loss on the loan involved or to another appropriate amount, not to exceed $10,000, whichever is greater. All determinations necessary to carry out this subparagraph shall be made by the Administrator. Law enforcement and crime.

"(5) Pursuant to regulations prescribed to carry out this paragraph, the Administrator may, in extraordinary situations, waive the application of the credit underwriting standards established under paragraph (2) of this subsection when the Administrator determines, considering the totality of circumstances, that the veteran is a satisfactory credit risk.".

(c) CONFORMING AMENDMENTS.—(1) Section 1816 is amended by adding at the end the following new subsection: 38 USC 1816.

"(e) The Administrator may not make a loan to finance a purchase of property acquired by the Administrator as a result of a default on a loan guaranteed under this chapter unless the purchaser meets the credit underwriting standards established under section 1810(g)(2)(A) of this title.". Real property.

(2) Section 1819(e)(2) is amended by inserting "as determined in accordance with the regulations prescribed under section 1810(g) of this title and" after "credit risk,".

SEC. 403. FORECLOSURE INFORMATION.

Section 1816, as amended by section 402(c)(1) of this Act, is amended by adding at the end the following new subsection:

"(f)(1) The Administrator shall identify and compile information on common factors which the Administrator finds contribute to foreclosures on loans guaranteed under this chapter.

"(2) The Administrator shall include a summary of the information compiled, and the Administrator's findings, under paragraph (1) of this subsection in the annual report submitted to the Congress under section 214 of this title. As part of such summary and findings, the Administrator shall provide a separate analysis of the factors which contribute to foreclosures of loans which have been assumed.". Reports.

SEC. 404. COMPETITIVE CONTRACTING REQUIREMENTS.

Section 1820(b) is amended by striking out "$1,000" and inserting in lieu thereof "the amount prescribed in clause (1) of the first sentence of such section".

SEC. 405. AUTHORITY TO TRANSFER FUNDS.

Section 1823 is amended by adding at the end the following new subsection:

"(d)(1) The Secretary of the Treasury shall transfer from the direct loan revolving fund to the loan guaranty revolving fund established by section 1824(a) of this title such amounts as the Administrator determines are not needed in the direct loan revolving fund.

"(2) Not later than 30 days after the date on which the Secretary makes a transfer under paragraph (1) of this subsection, the Administrator shall submit a notice of such transfer to the appropriate committees of the Congress.".

SEC. 406. USE OF ATTORNEYS IN HOME LOAN FORECLOSURES.

The second sentence of section 1830(a) is amended by striking out "With the concurrence of the Attorney General of the United States, the" and inserting in lieu thereof "The".

SEC. 407. APPRAISALS.

(a) IN GENERAL.—Subchapter III of chapter 37 is amended by adding at the end the following new section 1831:

"§ 1831. Appraisals

Loans.
Real property.
38 USC 1834.

"(a) The Administrator shall—

"(1) in consultation with appropriate representatives of institutions which are regularly engaged in making housing loans, prescribe uniform qualifications for appraisers;

"(2) use such qualifications in determining whether to approve an appraiser to make appraisals of the reasonable value of any property, construction, repairs, or alterations for the purposes of this chapter; and

"(3) in consultation with local representatives of institutions described in clause (1) of this subsection, develop and maintain lists of appraisers who are approved under clause (2) of this subsection to make appraisals for the purposes of this chapter.

"(b) The Administrator shall select appraisers from a list required by subsection (a)(3) of this section on a rotating basis to make appraisals for the purposes of this chapter.

"(c) The Administrator shall, upon request, furnish a copy of the appraisal made of property for the purposes of this chapter to the lender proposing to make the loan which is to be secured by such property and is to be guaranteed under this chapter.

"(d) If a lender—

"(1) has proposed to make a loan to be guaranteed under this chapter,

"(2) has been furnished a certificate of reasonable value of any property or of any construction, repairs, or alterations of property which is to be the security for such loan, and

"(3) within a reasonable period prescribed by the Administrator, has furnished to the Administrator an additional appraisal of the reasonable value of such property, construction, repairs, or alterations which was made by an appraiser selected by the lender from the list required by subsection (a)(3) of this section,

the Administrator shall consider both the initial appraisal and the additional appraisal and shall, if appropriate, issue a revised certificate of reasonable value of such property, construction, repairs, or alterations.

"(e)(1) In no case may a veteran be required to pay all or any portion of the cost of the additional appraisal described in subsection (d)(3) of this section.

"(2) If a veteran, within a reasonable period prescribed by the Administrator, has furnished to the Administrator an additional appraisal of the reasonable value of such property, construction, repairs, or alterations which was made by an appraiser selected by the veteran from the list required by subsection (a)(3) of this section, the Administrator shall consider such appraisal, along with other appraisals furnished to the Administrator, and shall, if appropriate, issue a revised certificate of reasonable value of such property, construction. repairs, or alterations.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1830 the following new item:

"1831. Appraisals.".

SEC. 408. FURNISHING INFORMATION TO REAL ESTATE PROFESSIONALS TO FACILITATE THE DISPOSITION OF PROPERTIES.

(a) IN GENERAL.—Subchapter III of chapter 37, as amended by section 407(a) of this Act, is further amended by adding at the end the following new section:

"§ 1832. Furnishing information to real estate professionals to facilitate the disposition of properties 38 USC 1832.

"The Administrator shall furnish to real estate brokers and other real estate sales professionals information on the availability of real property for disposition under this chapter and the procedures used by the Veterans' Administration to dispose of such property.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1831, as added by section 407(b) of this Act, the following new item:

"1832. Furnishing information to real estate professionals to facilitate the disposition of properties.".

SEC. 409. HOME LOAN ORIGINATION FEE. 38 USC 1829 note.

It is the sense of the Congress that the Veterans' Administration loan origination fee should not be increased above its present level of one percent of the amount of the loan guaranteed.

PART B—NATIONAL CEMETERIES

SEC. 411. NATIONAL CEMETERY GRAVE MARKERS.

Section 1004(c) is amended—

(1) by striking out "Each" and inserting in lieu thereof "(1) Subject to paragraph (2), each"; and

(2) by adding at the end the following:

"(2) The grave markers referred to in paragraph (1) shall be upright for interments that occur on or after January 1, 1987, except that—

"(A) in the case of any cemetery scheduled to be closed by September 30, 1991, as indicated in the documents submitted by the Administrator to the Congress in justification for the amounts included for Veterans' Administration programs in the President's Budget for fiscal year 1987, the Administrator may provide for flat grave markers; and

"(B) in the case of any cemetery with a section which has flat markers on the date of the enactment of the Veterans' Benefits Improvement and Health-Care Authorization Act of 1986, the Administrator may continue to provide for flat grave markers in such section.".

SEC. 412. REPORTS ON THE NATIONAL CEMETERY SYSTEM. 38 USC 1000 note.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Administrator of Veterans' Affairs shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a report on the National Cemetery System established by section 1000 of title 38, United States Code. The

Administrator shall submit a second such report not later than 60 months after such date.

(b) CONTENTS.—Each report required by subsection (a) shall include—

(1) a plan for the operation of the National Cemetery System through the year 2000, including a description of anticipated general trends relating to the operation of the National Cemetery System between the years 2000 and 2020 and a discussion of the provisions of the plan which were developed in response to those trends;

(2) a list, in order of priority, of the 10 geographic areas in the United States in which the need for additional burial space for veterans is greatest;

(3) assessments of the desirability and feasibility of acquiring existing State veterans' cemeteries in the geographic areas identified on the list described in clause (2) and of the role of State veterans' cemeteries in such areas and generally in meeting the needs for burial space for veterans; and

(4) general plans (including projected costs, site location, and, if appropriate, necessary land acquisition) for any anticipated expansion of the National Cemetery System, including plans for meeting (A) the need for burial space for veterans in each geographic area identified on the list described in clause (2), and (B) the need for burial space for veterans in cemeteries other than cemeteries in the National Cemetery System in those areas.

SEC. 413. MEMORIAL AREAS IN ARLINGTON NATIONAL CEMETERY.

(a) IN GENERAL.—Chapter 24 is amended by adding at the end the following new section:

Virginia.
38 USC 1009.

"§ 1009. Memorial areas in Arlington National Cemetery

"(a) The Secretary of the Army may set aside, when available, a suitable area or areas in Arlington National Cemetery, Virginia, to honor the memory of members of the Armed Forces and veterans—

"(1) who are missing in action;

"(2) whose remains have not been recovered or identified;

"(3) whose remains were buried at sea, whether by the member's or veteran's own choice or otherwise;

"(4) whose remains were donated to science; or

"(5) whose remains were cremated and whose ashes were scattered without interment of any portion of the ashes.

"(b) Under regulations prescribed by the Secretary, appropriate memorials or markers may be erected in Arlington National Cemetery to honor the memory of those individuals, or group of individuals, referred to in subsection (a) of this section.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"1009. Memorial areas in Arlington National Cemetery.".

38 USC 1000 note.

SEC. 414. AUTHORITY TO ESTABLISH NATIONAL CEMETERIES.

38 USC 1000 *et seq.*

(a) AUTHORITY.—The authority of the Administrator of Veterans' Affairs under chapter 24 of title 38, United States Code, to develop and acquire cemeteries as part of the National Cemetery System includes, but is not limited to, the authority to establish additional

national cemeteries to serve the needs of veterans and their families in—

(1) San Francisco, California; California.
(2) Chicago, Illinois; Illinois.
(3) Cleveland, Ohio; Ohio.
(4) Pittsburgh, Pennsylvania; Pennsylvania.
(5) Dallas/Fort Worth, Texas; Texas.
(6) Miami, Florida; Florida.
(7) Seattle, Washington; Washington.
(8) Atlanta, Georgia; Georgia.
(9) Phoenix/Tucson, Arizona; Arizona.
(10) Birmingham, Alabama; and Alabama.
(11) any other State in which a national cemetery is not available for the burial of veterans.

(b) LAND ACQUISITION.—The Administrator may acquire land necessary for a cemetery authorized by subsection (a) of this section by donation, purchase, condemnation, exchange of lands in the United States public domain, or otherwise.

TITLE V—ADMINISTRATIVE PROVISIONS

SEC. 501. CLARIFICATION OF REQUIREMENT FOR A DETAILED PLAN AND JUSTIFICATION FOR ADMINISTRATIVE REORGANIZATION.

Section 210(b)(2)(C) is amended by inserting at the end the following:

"(iii) The term 'detailed plan and justification' means, with respect to an administrative reorganization, a written report which, at a minimum—

"(I) specifies the number of employees by which each covered office or facility affected is to be reduced, the responsibilities of those employees, and the means by which the reduction is to be accomplished;

"(II) identifies any existing or planned office or facility at which the number of employees is to be increased and specifies the number and responsibilities of the additional employees at each such office or facility;

"(III) describes the changes in the functions carried out at any existing office or facility and the functions to be assigned to an office or facility not in existence on the date that the plan and justification are submitted pursuant to subparagraph (A) of this paragraph;

"(IV) explains the reasons for the determination that the reorganization is appropriate and advisable in terms of the statutory missions and long-term goals of the Veterans' Administration;

"(V) describes the effects that the reorganization may have on the provision of benefits and services to veterans and dependents of veterans (including the provision of benefits and services through offices and facilities of the Veterans' Administration not directly affected by the reorganization); and

"(VI) provides estimates of the costs of the reorganization and of the cost impact of the reorganization, together with analyses supporting those estimates.".

SEC. 502. COLLOCATION OF REGIONAL OFFICES AND MEDICAL CENTERS.

(a) IN GENERAL.—(1) Not later than March 1, 1987, the Administrator of Veterans' Affairs shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a plan, including a schedule, for collocating at least seven regional offices of the Veterans' Administration described in paragraph (3) with Veterans' Administration medical centers on the grounds of such medical centers. The plan and schedule shall provide for the collocations to be commenced and completed as soon as practicable.

(2) The plan required by paragraph (1) shall include—

(A) an analysis of the estimated costs and savings which would result from the collocations;

(B) the advantages and costs of furnishing personnel, supply, administration, and finance services and other supporting services jointly to regional offices of the Veterans' Administration and Veterans' Administration medical centers; and

(C) any other advantages and any disadvantages of such collocations relating to costs and the provision of benefits and services to veterans.

(3) The regional offices referred to in paragraphs (1) and (2) are regional offices of the Veterans' Administration which are not located at Veterans' Administration medical centers on the date of the enactment of this Act.

(b) LIMITATION.—The plan submitted pursuant to subsection (a) shall provide for the collocation of only a regional office and a medical center which are located, on the date of the enactment of this Act, in the same metropolitan area.

SEC. 503. EFFECTIVE DATE OF DISCONTINUANCE OF CERTAIN BENEFITS PAID TO INCOMPETENT INDIVIDUALS.

38 USC 3012.

Section 3012 is amended by adding at the end the following new subsection:

"(c) The effective date of a discontinuance under section 3203(b)(1)(A) of this title of pension, compensation, or emergency officers' retirement pay by reason of hospital treatment or institutional or domiciliary care shall be the last day of the first month of such treatment or care during which the value of the veteran's estate, as determined under such section, equals or exceeds $1,500.".

SEC. 504. ADMINISTRATIVE DEBT COLLECTION BY OFFSET OF BENEFITS.

Section 3101 is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following new subsection (c):

"(c)(1) Notwithstanding any other provision of this section, the Administrator may, after receiving a request under paragraph (2) of this subsection relating to a veteran, collect by offset of any compensation or pension payable to the veteran under laws administered by the Veterans' Administration the uncollected portion of the amount of any indebtedness associated with the veteran's participation in a plan prescribed in subchapter I or II of chapter 73 of title 10.

10 USC 1431 *et seq.*, 1447 *et seq.*

"(2) If the Secretary concerned (as defined in section 101(5) of title 37) has tried under section 3711(a) of title 31 to collect an amount described in paragraph (1) of this subsection in the case of any veteran, has been unable to collect such amount, and has deter-

mined that the uncollected portion of such amount is not collectible from amounts payable by the Secretary to the veteran or that the veteran is not receiving any payment from the Secretary, the Secretary may request the Administrator to make collections in the case of such veteran as authorized in paragraph (1) of this subsection.

"(3)(A) A collection authorized by paragraph (1) of this subsection shall be conducted in accordance with the procedures prescribed in section 3716 of title 31 for administrative offset collections made after attempts to collect claims under section 3711(a) of such title.

"(B) For the purposes of subparagraph (A) of this paragraph, as used in the second sentence of section 3716(a) of title 31—

"(i) the term 'records of the agency' shall be considered to refer to the records of the department of the Secretary concerned; and

"(ii) the term 'agency' in clauses (3) and (4) shall be considered to refer to such department.

"(4) Funds collected under this subsection shall be credited to the Department of Defense Military Retirement Fund under chapter 74 of title 10.".

10 USC 1461 *et seq.*

SEC. 505. DISCLOSURE OF FINANCIAL INFORMATION BY FIDUCIARIES.

Section 3202(b) is amended by inserting after the second sentence the following: "The Administrator may require the fiduciary, as part of such account, to disclose any additional financial information concerning the beneficiary (except for information that is not available to the fiduciary).".

TITLE VI—EXEMPTION OF CERTAIN PROGRAMS FROM BUDGET REDUCTION

SEC. 601. TREATMENT OF CERTAIN VETERANS' PROGRAMS UNDER BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985.

(a) IN GENERAL.—(1) Chapter 1 is amended by adding at the end the following new section:

"**§ 113. Treatment of certain programs under sequestration procedures**

38 USC 113.

"(a) The following programs shall be exempt from sequestration or reduction under part C of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901 et seq.) or any other sequestration law and shall not be included in any report specifying reductions in Federal spending:

"(1) Benefits under chapter 21 of this title, relating to specially adapted housing and mortgage-protection life insurance for certain veterans with service-connected disabilities.

Insurance.
38 USC 801 *et seq.*

"(2) Benefits under section 907 of this title, relating to burial benefits for veterans who die as the result of a service-connected disability.

"(3) Benefits under chapter 39 of this title, relating to automobiles and adaptive equipment for certain disabled veterans and members of the Armed Forces.

Motor vehicles.
Handicapped persons.
38 USC 671 *et seq.*

"(4) Assistance and services under chapter 31 of this title, relating to training and rehabilitation for certain veterans with service-connected disabilities (but only with respect to fiscal year 1987).

38 USC 1500 *et seq.*

38 USC 1700 *et seq.*

"(5) Benefits under chapter 35 of this title, relating to educational assistance for survivors and dependents of certain veterans with service-connected disabilities (but only with respect to fiscal year 1987).

"(b) The following accounts of the Veterans' Administration shall be exempt from sequestration or reduction under part C of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901 et seq.) or any other sequestration law and shall not be included in any report specifying reductions in Federal spending:

Insurance.

"(1) The following life insurance accounts:

"(A) The National Service Life Insurance Fund authorized by section 720 of this title.

"(B) The Service-Disabled Veterans Insurance Fund authorized by section 722 of tnis title.

"(C) The Veterans Special Life Insurance Fund authorized by section 723 of this title.

"(D) The Veterans Reopened Insurance Fund authorized by section 725 of this title.

"(E) The United States Government Life Insurance Fund authorized by section 755 of this title.

"(F) The Veterans Insurance and Indemnity appropriation authorized by section 719 of this title.

"(2) The following revolving fund accounts:

"(A) The Veterans' Administration Special Therapeutic and Rehabilitation Activities Fund established by section 618(c) of this title.

"(B) The Veterans' Canteen Service revolving fund authorized by section 4204 of this title.

"(c)(1) A benefit under section 901, 902, 903, 906, or 908 of this title that is subject to reduction under a sequestration order or sequestration law shall be paid in accordance with the rates determined under the sequestration order or law (if any) in effect on the date of the death of the veteran concerned.

"(2) A benefit paid to, or on behalf of, an eligible veteran for pursuit of a program of education or training under chapter 30, 34, or 36 of this title that is subject to a sequestration order or a sequestration law shall be paid in accordance with the rates determined under the sequestration order or law (if any) in effect during the period of education or training for which the benefit is paid.

38 USC 1401 *et seq.*, 1651 *et seq.*, 1770 *et seq.*

"(3) In implementation of a sequestration order or law with respect to each account from which a benefit described in paragraph (1) or (2) of this subsection is paid (including the making of determinations of the amounts by which such benefits are to be reduced), the total of the amounts (as estimated by the Administrator after consultation with the Director of the Congressional Budget Office) by which payments of such benefit will be reduced by reason of such paragraph after the last day of the period during which such order or law is in effect shall be deemed to be additional reductions in the payments of such benefit made, and in new budget authority for such payments, during such period.

"(d) In computing the amount of new budget authority by which a budget account of the Veterans' Administration is to be reduced for a fiscal year under a joint report of the Directors of the Office of Management and Budget and the Congressional Budget Office, or under an order of the President under part C of the Balanced Budget and Emergency Deficit Control Act of 1985, the base from which the amount of the reduction for such account is determined

shall be established without regard to any amount of new budget authority in such account (determined under section 251(a)(6) of such Act) for any of the programs listed in subsection (a) of this section. 2 USC 901.

"(e) If a final order issued by the President pursuant to a law providing for the cancellation of loan guarantee commitments imposes a limitation on the total amount of loans that may be guaranteed under chapter 37 of this title in any fiscal year, the Administrator shall submit to the Committees on Veterans' Affairs of the Senate and the House of Representatives a monthly report (not later than the 10th day of each month during the remainder of such fiscal year following the issuance of such final order) providing the following information: Reports. 38 USC 1801 *et seq.*

"(1) The total amount of the loans for which commitments of guarantees were made under such chapter during the preceding month.

"(2) The total amount of the loans for which commitments were made during the fiscal year through the end of such preceding month.

"(3) The Administrator's estimates as to the total amounts of the loans for which commitments would, in the absence of any limits on such commitments or guarantees, be made during (A) the month in which the report is required to be submitted, and (B) the succeeding months of the fiscal year.

"(f) This section applies without regard to any other provision of law (whether enacted before, on, or after the date of the enactment of this section) unless such Act expressly provides that it is enacted as a limitation to this section.

"(g) For the purposes of this section:

"(1) The term 'sequestration' means a reduction in spending authority and loan guarantee commitments generally throughout the Government under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901 et seq.) or any other law.

"(2) The term 'sequestration law' means a law enacted with respect to a sequestration under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901 et seq.) or any other law (under the procedures specified in that Act or otherwise).

"(3) The term 'sequestration order' means an order of the President issued under part C of such Act.".

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"113. Treatment of certain programs under sequestration procedures.".

(b) EFFECTIVE DATE.—Section 113 of title 38, United States Code (as added by subsection (a)), shall apply with respect to a sequestration order issued, or a sequestration law enacted, for a fiscal year after fiscal year 1986. 38 USC 113 note.

TITLE VII—TECHNICAL AMENDMENTS

SEC. 701. ELIMINATION OF GENDER-BASED LANGUAGE DISTINCTIONS IN TITLE 38.

Title 38 is amended as follows:

(1)(A) Section 102 is amended—

(i) by striking out subsection (b);

(ii) by striking out "(1)" after "(a)";

(iii) by striking out "(2)" before "Dependency" and inserting in lieu thereof "(b)";

(iv) by striking out "(A)" and "(B)" and inserting in lieu thereof "(1)" and "(2)", respectively; and

(v) by striking out "(3) For the purposes of this subsection" and inserting in lieu thereof "(C) For the purposes of this section,".

(B) The heading of section 102 and the item relating to that section in the table of sections at the beginning of chapter 1 are amended by striking out the semicolon and the last word.

(2) Section 103 is amended— 38 USC 103.

(A) in subsection (a)—

(i) by striking out "woman as the widow" and inserting in lieu thereof "person as the widow or widower";

(ii) by striking out "she" and inserting in lieu thereof "such person";

(iii) by striking out "him" and inserting in lieu thereof "the veteran";

(iv) by striking out "his" and inserting in lieu thereof "the veteran's"; and

(v) by striking out "legal widow" and inserting in lieu thereof "legal widow or widower";

(B) in subsection (b), by striking out "widow" and inserting in lieu thereof "surviving spouse";

(C) in subsection (c), by striking out "woman is or was the wife" and inserting in lieu thereof "person is or was the spouse";

(D) in subsection (d)(1), by striking out "widow of a veteran shall not bar the furnishing of benefits to her as the widow" and inserting in lieu thereof "surviving spouse of a veteran shall not bar the furnishing of benefits to such person as the surviving spouse";

(E) in subsection (d)(2)—

(i) by striking out "widow" each place it appears and inserting in lieu thereof "surviving spouse"; and

(ii) by striking out "her" and inserting in lieu thereof "such person"; and

(F) in subsection (d)(3)—

(i) by striking out "widow" each place it appears and inserting in lieu thereof "surviving spouse";

(ii) by striking out "man" and inserting in lieu thereof "person";

(iii) by striking out "herself" and inserting in lieu thereof "himself or herself";

(iv) by striking out "his wife" and inserting in lieu thereof "that person's spouse"; and

(v) by striking out "her" and inserting in lieu thereof "that person".

(3) Section 104(b) is amended by striking out "him" and inserting in lieu thereof "the Administrator".

(4) Section 105 is amended—

(A) in subsection (a)—

(i) by striking out "his" in the first sentence and inserting in lieu thereof "the person's"; and

(ii) by striking out "him" in the second sentence and inserting in lieu thereof "the person"; and

(B) in subsection (b), by striking out "service, or by absenting himself" in clause (1) and inserting in lieu thereof "service or by absenting himself or herself".

(5) Section 106 is amended— 38 USC 106.

(A) in subsection (b)(2), by striking out "his" and inserting in lieu thereof "the person's";

(B) in subsection (c)—

(i) by striking out "him" and inserting in lieu thereof "that individual";

(ii) by striking out "his" and inserting in lieu thereof "that individual's"; and

(iii) by striking out "he" and inserting in lieu thereof "that individual"; and

(C) in subsection (d)—

(i) by striking out "by him" in clause (2);

(ii) by striking out "he" each place it appears in the second sentence and inserting in lieu thereof "such individual"; and

(iii) by striking out "his" in the second sentence and inserting in lieu thereof "the".

(6) Section 107(a) is amended by striking out "his" in the last sentence and inserting in lieu thereof "such member's".

(7) Section 108(b) is amended by striking out "his" both places it appears and inserting in lieu thereof "that individual's".

(8) Section 109(b) is amended by striking out "he" in the second sentence and inserting in lieu thereof "such person".

(9) Section 210 is amended—

(A) by striking out "he" each place it appears and inserting in lieu thereof "the Administrator";

(B) in subsection (a), by striking out "He" and inserting in lieu thereof "The Administrator";

(C) in subsection (c)(3)(A), by striking out "widow" and inserting in lieu thereof "surviving spouse"; and

(D) in subsection (c)(3)(B), by striking out "him" and inserting in lieu thereof "the Administrator".

(10) Sections 212(a), 215, and 217(b) are amended by striking out "he" and inserting in lieu thereof "the Administrator".

(11) Section 213 is amended—

(A) by striking out "he" in the first sentence and inserting in lieu thereof "the Administrator"; and

(B) by striking out "his" in the second sentence and inserting in lieu thereof "the Administrator's".

(12) Section 219(a) is amended—

(A) by striking out "he" and inserting in lieu thereof "the Administrator"; and

(B) by striking out "him" and inserting in lieu thereof "the Administrator".

(13) Section 230(a) is amended by striking out "he" and inserting in lieu thereof "the Administrator".

(14) Section 233 is amended—

(A) by striking out "he" in subsection (a) and inserting in lieu thereof "the Administrator"; and

(B) in subsection (b), by striking out "when he determines" and inserting in lieu thereof "upon determining"

(15) Section 235 is amended by striking out "his" and inserting in lieu thereof "the President's".

38 USC 236.

(16) Section 236 is amended by striking out "his" and inserting in lieu thereof "the Administrator's".

(17) Section 241 is amended—

(A) by striking out "his" in paragraph (1) and inserting in lieu thereof "the veteran's"; and

(B) by striking out "he" in paragraph (2) and inserting in lieu thereof "the Administrator".

(18) Section 242(a) is amended by striking out "he" and inserting in lieu thereof "the Administrator".

(19) Section 244(5) is amended by striking out "his" and inserting in lieu thereof "the Administrator's".

(20) Section 602 is amended by striking out "his".

(21) Section 704 is amended—

(A) in subsection (d)—

(i) by striking out "his" each place it appears and inserting in lieu thereof "the insured's"; and

(ii) by striking out "he" each place it appears and inserting in lieu thereof "the insured"; and

(B) in subsection (e)—

(i) by striking out "his" and inserting in lieu thereof "the insured's"; and

(ii) by striking out "he" and inserting in lieu thereof "the Administrator".

(22) Section 705 is amended—

(A) by striking out "his" each place it appears and inserting in lieu thereof "the"; and

(B) by striking out "him" and inserting in lieu thereof "the insured".

(23) Section 707 is amended by striking out "his" in subsections (a) and (c) and inserting in lieu thereof "the insured's".

(24) Section 708 is amended by striking out "his" and inserting in lieu thereof "the insured's".

(25) Section 712 is amended—

(A) by striking out "his" each place it appears and inserting in lieu thereof "the insured's"; and

(B) by striking out "he" in the first sentence of subsection (d) and inserting in lieu thereof "the insured".

(26) Section 713 is amended by striking out "his" each place it appears and inserting in lieu thereof "the".

(27) Section 716(e) is amended by striking out "his" and inserting in lieu thereof "the insured's".

(28) Section 725 is amended—

(A) by striking out "he" each place it appears and inserting in lieu thereof "such person";

(B) by striking out "him" each place it appears and inserting in lieu thereof "the applicant"; and

(C) by striking out "his" in subsection (d)(3) and inserting in lieu thereof "the Administrator's".

(29) Section 742 is amended—

(A) in subsection (b)—

(i) by striking out "his" and inserting in lieu thereof "the insured's"; and

(ii) by striking out "he" and inserting in lieu thereof "the insured"; and

(B) in subsection (c)—

(i) by striking out "he" and inserting in lieu thereof "the insured";

(ii) by striking out "his term" and inserting in lieu thereof "the term";

(iii) by striking out "his failure"; and

(iv) by striking out "his control" and inserting in lieu thereof "the insured's control".

(30) Sections 743, 744(b), 745, 746, 747, and 748 are amended by striking out "his" and inserting in lieu thereof "the insured's".

(31) Section 750 is amended by striking out "in his lifetime or by his last will and testament" and inserting in lieu thereof "while alive or by last will".

(32) Section 752 is amended by striking out "his" each place it appears and inserting in lieu thereof "the".

(33) Section 759(a) is amended—

(A) by striking out "his" and inserting in lieu thereof "the applicant's"; and

(B) by striking out "he" and inserting in lieu thereof "the applicant".

(34) Section 760(a) is amended by striking out "his" and inserting in lieu thereof "the guardian's".

(35) Section 765 is amended—

(A) in paragraph (5)(B), by striking out "he" and inserting in lieu thereof "such person"; and

(B) in paragraph (9)—

(i) by striking out "his minority" and inserting in lieu thereof "the child's minority"; and

(ii) by striking out "his adoption" and inserting in lieu thereof "the child's adoption".

(36) Section 766 is amended—

(A) in subsection (c), by striking out "him" and inserting in lieu thereof "the Administrator"; and

(B) in subsection (d), by striking out "he" and inserting in lieu thereof "the Administrator".

(37) Section 767 is amended—

(A) in subsection (b)—

(i) by striking out "him" and inserting in lieu thereof "such member";

(ii) by striking out "he" each place it appears and inserting in lieu thereof "such member"; and

(iii) by striking out "his" and inserting in lieu thereof "such member's"; and

(B) in subsection (c)—

(i) by striking out "his" and inserting in lieu thereof "such member's"; and

(ii) by striking out "he" and inserting in lieu thereof "such member".

(38) Section 768 is amended—

(A) in subsection (a)(2)—

(i) by striking out "his"; and

(ii) by striking out "him" and inserting in lieu thereof "the member";

(B) in subsection (a)(3)—

(i) by striking out "his"; and

(ii) by striking out "him" and inserting in lieu thereof "the member"; and

(C) in subsection (b), by striking out "his" and inserting in lieu thereof "the".

(39) Section 769 is amended—

(A) in subsection (a)(1), by striking out "his" and inserting in lieu thereof "the member's";

(B) in subsection (a)(3), by striking out "him" and inserting in lieu thereof "the member";

(C) in subsection (a)(4)—

(i) by striking out "him" both places it appears and inserting in lieu thereof "the member"; and

(ii) by striking out "his" and inserting in lieu thereof "the member's";

(D) in subsection (b), by striking out "he" and inserting in lieu thereof "the Administrator";

(E) in subsection (d)(3), by striking out "his" and inserting in lieu thereof "the Administrator's"; and

(F) in subsection (e), by striking out "he" and inserting in lieu thereof "the Administrator".

38 USC 770.

(40) Section 770 is amended—

(A) by striking out "his" each place it appears in subsection (a) and inserting in lieu thereof "the insured's"; and

(B) by striking out "his" in subsection (e) and inserting in lieu thereof "the member's".

(41) Section 774 is amended by striking out "his" and inserting in lieu thereof "the Administrator".

(42) Section 776 is amended by striking out "him" and inserting in lieu thereof "the Administrator".

(43) Section 777 is amended—

(A) in subsection (a)—

(i) by striking out "his" both places it appears and inserting in lieu thereof "such person's"; and

(ii) by striking out "he" and inserting in lieu thereof "such person";

(B) in subsection (c)—

(i) by striking out "he" the first place it appears and inserting in lieu thereof "the Administrator"; and

(ii) by striking out "he" the second place it appears and inserting in lieu thereof "such member or former member";

(C) in subsection (d), by striking out "his" and inserting in lieu thereof "such person's";

(D) in subsection (e), by striking out "he" and inserting in lieu thereof "the insured"; and

(E) in subsection (g)—

(i) by striking out "his" and inserting in lieu thereof "the insured's"; and

(ii) by striking out "he" and inserting in lieu thereof "the Administrator".

(44) Section 781(b) is amended—

(A) by striking out "he" and inserting in lieu thereof "such person"; and

(B) by striking out "his" and inserting in lieu thereof "such person's".

(45) Section 783 is amended by striking out "his" and inserting in lieu thereof "such beneficiary's".

(46) Section 784(g) is amended by striking out "his" both places it appears and inserting in lieu thereof "the insured's".

(47) Section 787 is amended by striking out "himself or any other" and inserting in lieu thereof "any".

38 USC 801.

(48) Section 801(a) is amended by striking out "he" and inserting in lieu thereof "the Administrator".

(49) Section 806 is amended—

(A) by striking out "his" in subsection (b) and inserting in lieu thereof "the veteran's";

(B) by striking out "he" in subsection (c) and inserting in lieu thereof "the veteran";

(C) by striking out "his" in subsection (d) and inserting in lieu thereof "the veteran's";

(D) in subsection (g)—

(i) in paragraph (2)—

(I) by striking out "he" each place it appears and inserting in lieu thereof "the Administrator";

(II) by striking out "his" and inserting in lieu thereof "the Administrator's"; and

(III) by striking out "him" each place it appears and inserting in lieu thereof "the Administrator";

(ii) in paragraph (3), by striking out "he" and inserting in lieu thereof "the veteran"; and

(iii) in paragraph (5), by striking out "him" each place it appears and inserting in lieu thereof "the Administrator"; and

(E) in subsection (h)—

(i) by striking out "his" in the first sentence and inserting in lieu thereof "the Administrator's"; and

(ii) by striking out "his" in the second sentence and inserting in lieu thereof "the veteran's".

(50) Section 901(b) is amended by striking out "his" and inserting in lieu thereof "the veteran's".

(51) Section 904 is amended by striking out "his" each place it appears and inserting in lieu thereof "the veteran's".

(52) Section 1000(a) is amended—

(A) by striking out "servicemen" and inserting in lieu thereof "servicemembers"; and

(B) by striking out "To assist" and all that follows through "the Administrator" in the second sentence and inserting in lieu thereof "The Administrator".

(53) Section 1001 is amended by striking out "he" and inserting in lieu thereof "the Administrator".

(54) Section 1002 is amended—

(A) by striking out "he" each place it appears and inserting in lieu thereof "such member"; and

(B) by striking out "wife, husband," in paragraph (5).

(55) Section 1004 is amended—

(A) in subsection (d), by striking out "he" each place it appears and inserting in lieu thereof "the veteran";

(B) in subsections (b), (e), and (g), by striking out "he" and inserting in lieu thereof "the Administrator"; and

(C) by striking out "his" each place it appears and inserting in lieu thereof "the Administrator's".

(56) Section 1005 is amended—

(A) by striking out "his" in subsection (a) and inserting in lieu thereof "the Administrator's"; and

(B) by striking out "He" in subsection (c) and inserting in lieu thereof "The Administrator".

(57) Section 1006 is amended by striking out "he" and inserting in lieu thereof "the Administrator".

38 USC 1007.

(58) Section 1007 is amended—

(A) by striking out "he" both places it appears and inserting in lieu thereof "the Administrator"; and

(B) by striking out "He" at the beginning of the second sentence and inserting in lieu thereof "The Administrator".

(59) The third sentence of section 1780(d)(2) is amended by striking out "serviceman" and inserting in lieu thereof "person".

(60) Section 2024(g) is amended by striking out "his" and inserting in lieu thereof "the".

(61) Section 3001(b)(1) is amended by striking out "widow or" each place it appears and inserting in lieu thereof "surviving spouse or".

(62) Section 3006 is amended by striking out "he" and inserting in lieu thereof "the Administrator".

(63) Section 3010(b)(1) is amended by striking out "his" and inserting in lieu thereof "the veteran's".

(64) Section 3012(b)(6) is amended by striking out "his" and inserting in lieu thereof "the payee's".

(65) Section 3020 is amended—

(A) in the third sentence of subsection (a)—

(i) by striking out "his" and inserting in lieu thereof "the payee's";

(ii) by striking out "he" and inserting in lieu thereof "the payee"; and

(iii) by striking out "him" and inserting in lieu thereof "the payee"; and

(B) in the first sentence of subsection (b)—

(i) by striking out "he" and inserting in lieu thereof "such person";

(ii) by striking out "widow" and inserting in lieu thereof "surviving spouse";

(iii) by striking out "she" both places it appears and inserting in lieu thereof "the surviving spouse";

(iv) by striking out "to her" and inserting in lieu thereof "to the surviving spouse"; and

(v) by striking out "by her" and inserting in lieu thereof "by the".

(66) Section 3021(a) is amended—

(A) by striking out "his"; and

(B) by striking out "His" in subparagraphs (A), (B), and (C) of paragraph (2) and inserting in lieu thereof "The veteran's".

(67) Section 3022 is amended by striking out "his" and inserting in lieu thereof "the payee's".

(68) Section 3101 is amended—

(A) by striking out "his or her" in the last sentence of subsection (a) and inserting in lieu thereof "a"; and

(B) by striking out "his" each place it appears in subsection (b) and inserting in lieu thereof "the beneficiary's".

(69) Section 3102 is amended—

(A) by striking out "his" in subsection (b) and inserting in lieu thereof "the veteran's"; and

(B) by striking out "his" both places it appears in subsection (c) and inserting in lieu thereof "the Administrator's".

(70) Section 3103 is amended—

(A) in subsection (a)—

(i) by striking out "he" and inserting in lieu thereof "such person"; and

(ii) by striking out "his" and inserting in lieu thereof "such officer's";

(B) in subsection (b)—

(i) by striking out "his" and inserting in lieu thereof "a person's";

(ii) by striking out "any person" and inserting in lieu thereof "that person"; and

(iii) by striking out "he" and inserting in lieu thereof "such person";

(C) in subsection (c)—

(i) by striking out "his" both places it appears and inserting in lieu thereof "the individual's"; and

(ii) by striking out "he" and inserting in lieu thereof "the individual"; and

(D) in the second sentence of subsection (e)(2), by striking out "his or her" and inserting in lieu thereof "the".

(71) Section 3104 is amended— 38 USC 3104.

(A) in subsection (a)(1), by striking out "his" and inserting in lieu thereof "such person's";

(B) in subsection (b)—

(i) by striking out "widow" in paragraph (1) and inserting in lieu thereof "surviving spouse";

(ii) by striking out "his" in paragraph (1) and inserting in lieu thereof "such person's"; and

(iii) by striking out "he or she" in paragraph (3) and inserting in lieu thereof "such person"; and

(C) in subsection (c)—

(i) by striking out "his" and inserting in lieu thereof "any person's";

(ii) by striking out "to any person" and inserting in lieu thereof "to such person"; and

(iii) by striking out "he" and inserting in lieu thereof "such person".

(72) Section 3105 is amended—

(A) by striking out "he" and inserting in lieu thereof "such person"; and

(B) by striking out "his" and inserting in lieu thereof "such person's".

(73) Section 3106 is amended by striking out "his" and inserting in lieu thereof "the".

(74) Section 3108(c) is amended—

(A) by striking out "his" and inserting in lieu thereof "the Administrator's"; and

(B) by striking out "he" and inserting in lieu thereof "the dependent".

(75) Section 3109 is amended—

(A) by striking out "his" each place it appears in subsection (a) and inserting in lieu thereof "such person's"; and

(B) by striking out "he" in subsection (b) and inserting in lieu thereof "such person".

(76) Section 3202 is amended—

(A) in subsection (a), by striking out "he" and inserting in lieu thereof "the Administrator";

(B) in subsection (b)—

(i) by striking out "his trust" in the first sentence and inserting in lieu thereof "the trust of such guardian, curator, conservator, or other person";

(ii) by striking out "his duly" in the first sentence and inserting in lieu thereof "the Administrator's";

(iii) by striking out "his" in the second and third sentences and inserting in lieu thereof "the Administrator's"; and

(iv) by striking out "himself" in the third sentence and inserting in lieu thereof "the Administrator";

(C) in subsection (d)—

(i) by striking out "his" in the second sentence and inserting in lieu thereof "the veteran's";

(ii) by striking out "his" in the third sentence and inserting in lieu thereof "the beneficiary's"; and

(iii) in the fourth sentence—

(I) by striking out "him" and inserting in lieu thereof "the beneficiary";

(II) by striking out "he" and inserting in lieu thereof "the beneficiary"; and

(III) by striking out "his" each place it appears and inserting in lieu thereof "the beneficiary's"; and

(D) in subsection (e), by striking out "his".

38 USC 3203.

(77) Section 3203(e) is amended by striking out "his" and inserting in lieu thereof "the veteran's".

(78) Section 3303 is amended by striking out "his" and inserting in lieu thereof "the veteran's".

(79) Section 3401 is amended by striking out "he" and inserting in lieu thereof "such individual".

(80) Section 3404(b) is amended by striking out "he" and inserting in lieu thereof "the Administrator".

(81) Section 3405 is amended by striking out "him" and inserting in lieu thereof "to the claimant or beneficiary".

(82) Section 3501 is amended—

(A) by striking out "his" the first place it appears and inserting in lieu thereof "a claimant's"; and

(B) by striking out "his" the second, third, and fourth places it appears and inserting in lieu thereof "such fiduciary's".

(83) Section 3503 is amended—

(A) by striking out "his" in subsection (c) and inserting in lieu thereof "the veteran's"; and

(B) by striking out "he" each place it appears in subsection (d)(2) and inserting in lieu thereof "the Administrator".

(84) Section 3504(b) is amended—

(A) by striking out "his" and inserting in lieu thereof "the Administrator's"; and

(B) by striking out "he" and inserting in lieu thereof "the dependent".

(85) Section 4005 is amended—

(A) by striking out "his" each place it appears and inserting in lieu thereof "the claimant's"; and

(B) by striking out "him" and inserting in lieu thereof "the claimant or legal guardian".

(86) Section 4106(b) is amended—

(A) by striking out "him" and inserting in lieu thereof "such person"; and

(B) by striking out "he" and inserting in lieu thereof "such person".

(87) Section 4107(e)(5) is amended by striking out "her" and inserting in lieu thereof "the nurse's". 38 USC 4107.

(88) Section 4110 is amended—

(A) by striking out "of his own choosing" in subsection (c) and inserting in lieu thereof "chosen by such person";

(B) in subsection (d)—

(i) by striking out "He" and inserting in lieu thereof "The Administrator"; and

(ii) by striking out "he" and inserting in lieu thereof "the Administrator"; and

(C) in subsection (e)—

(i) by striking out "he" and inserting in lieu thereof "the Administrator"; and

(ii) by striking out "him" and inserting in lieu thereof "the Administrator".

(89) Section 5101 is amended by striking out "his" each place it appears and inserting in lieu thereof "the".

(90) Section 5102 is amended—

(A) by striking out "he" each place it appears and inserting in lieu thereof "the Administrator";

(B) by striking out "his" and inserting in lieu thereof "the Administrator's"; and

(C) by striking out "He" and inserting in lieu thereof "The Administrator".

(91) Section 5103 is amended by striking out "his" each place it appears and inserting in lieu thereof "the".

(92) Section 5104 is amended—

(A) by striking out "he" each place it appears and inserting in lieu thereof "the Administrator"; and

(B) by striking out "his" each place it appears and inserting in lieu thereof "the Administrator's".

(93) Section 5201(a)(1) is amended by striking out "his" and inserting in lieu thereof "such person's".

(94) Section 5202 is amended—

(A) in the first sentence of subsection (b)—

(i) by striking out "his last" each place it appears and inserting in lieu thereof "such person's last";

(ii) by inserting "has personal property situated on such facility and" before "shall have designated";

(iii) by striking out "to whom he desires his personal property situated upon such facility to be delivered, upon the death of such veteran" and inserting in lieu thereof "to receive such property when such veteran, dependent or survivor dies,"; and

(iv) by striking out "him" and inserting in lieu thereof "the Administrator";

(B) in the second sentence of subsection (b)—

(i) by striking out "by the veteran" and inserting in lieu thereof "by such veteran, dependent, or survivor";

(ii) by striking out "if he has";

(iii) by striking out "his" and inserting in lieu thereof "the Administrator's";

(iv) by striking out "as provided in this subchapter," and inserting in lieu thereof "in writing delivered to the Veterans' Administration"; and

(v) by striking out "child, grandchild, mother, father, grandmother, grandfather, brother or sister" and inserting in lieu thereof "children, grandchildren, parents, grandparents, siblings";

(C) by striking out the third sentence of subsection (b);

(D) in the fourth sentence of subsection (b)—

(i) by striking out "his designee may in such case select the one to receive such possession," and inserting in lieu thereof "the Administrator's designee may in such case deliver the property either jointly or separately in equal values, to those equally entitled thereto"; and

(ii) by striking out "in his discretion" and inserting in lieu thereof "in the discretion of the Administrator or the Administrator's designee"; and

(E) in subsection (c), by striking out "his" and inserting in lieu thereof "the Administrator's".

38 USC 5203.

(95) Section 5203 is amended by striking out "his" and inserting in lieu thereof "such person's".

(96) Section 5204 is amended by striking out "his" each place it appears and inserting in lieu thereof "such person's".

(97) Section 5206 is amended by striking out "his" and inserting in lieu thereof "the owner's".

(98) Section 5207 is amended—

(A) by striking out "his" and inserting in lieu thereof "the Administrator's"; and

(B) by striking out "by him promulgated" and inserting in lieu thereof "prescribed by the Administrator".

(99) Section 5220 is amended—

(A) in subsection (a)—

(i) by striking out "surviving him any" and inserting in lieu thereof "any surviving";

(ii) by striking out "his" each place it appears and inserting in lieu thereof "the decedent's";

(iii) by striking out "he" and inserting in lieu thereof "such person"; and

(iv) by striking out "owned by him" and inserting in lieu thereof "owned by such person"; and

(B) in subsection (b), by striking out "his" and inserting in lieu thereof "such person's".

(100) Section 5221 is amended by striking out "he" and inserting in lieu thereof "such person".

(101) Section 5222 is amended—

(A) by striking out "he" and inserting in lieu thereof "the Administrator"; and

(B) by striking out "his" and inserting in lieu thereof "the Administrator's".

(102) Section 5223 is amended by striking out "his" each place it appears and inserting in lieu thereof "the decedent's".

(103) Section 5224 is amended—

(A) by striking out "his" each place it appears and inserting in lieu thereof "the Administrator's"; and

(B) by striking out "him" and inserting in lieu thereof "the Administrator".

(104) Section 5225 is amended by striking out "his" and inserting in lieu thereof "the Administrator's". 38 USC 5225.

(105) Section 5226 is amended—

(A) by striking out "himself" and inserting in lieu thereof "such person";

(B) by striking out "his" in the second sentence and inserting in lieu thereof "the veteran's";

(C) by striking out "he" and inserting in lieu thereof "the Administrator"; and

(D) by striking out "his authorized" each place it appears, and inserting in lieu thereof "the Administrator's authorized".

SEC. 702. GENERAL TECHNICAL AMENDMENTS.

Title 38 is amended as follows:

(1) Section 101 is amended—

(A) by inserting "Army" before "National Guard" in paragraphs (22)(C), (23), and (27)(F); and

(B) by striking out "and the" in paragraph (31) and all that follows through "widower".

(2) Section 233(a) is amended by striking out "subparagraph (4)" and inserting in lieu thereof "paragraph (4) of this subsection".

(3) Section 235 is amended—

(A) by inserting "(a)" before "The Administrator";

(B) by indenting paragraphs (1) through (7) two ems;

(C) by inserting "Service" in paragraph (5) after "Foreign";

(D) by striking out "The foregoing authority" and inserting in lieu thereof "(b) The authority in subsection (a) of this section"; and

(E) by striking out "titles 5 and 22" and inserting in lieu thereof "title 5 and the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.)".

(4) Section 241 is amended—

(A) by inserting "The Administrator shall" after "(1)";

(B) by striking out "eligible and, in carrying" and inserting in lieu thereof "eligible. In carrying";

(C) by striking out "release;" and inserting in lieu thereof "release.";

(D) by inserting "The Administrator shall" after "(2)";

(E) by striking out "veterans; and" and inserting in lieu thereof "veterans.";

(F) by inserting "The Administrator shall" after "(3)"; and

(G) by striking out "clauses (1) and (2) above" and inserting in lieu thereof "paragraphs (1) and (2) of this section".

(5) Section 612(j) is amended—

(A) by striking out "pursuant to" and inserting in lieu thereof "under";

(B) by striking out "(voluntarily requesting" and inserting in lieu thereof "who voluntarily request";

(C) by striking out the parenthesis after "immunizations";

(D) by striking out "facility, utilizing" and inserting in lieu thereof "facility. Any such immunization shall be made using";

(E) by striking out "Administration," and all that follows through "to provide" and inserting in lieu thereof "Administration. For such purpose, notwithstanding any other provision of law, the Secretary may provide"; and

(F) by striking out "cost and the provisions of section" and inserting in lieu thereof "cost. Section".

38 USC 612A.

(6) Section 612A(h)(3)(A)(i) is amended by striking out "the date of the enactment of this section" and inserting in lieu thereof "December 3, 1985,".

(7) Section 801(a) is amended—

(A) by striking out the comma after "veteran" the first place it appears; and

(B) by striking out "title, based on service after "April 20, 1898," and inserting in lieu thereof "title".

(8) Section 1411(a) is amended by inserting a comma after "of this section" in the matter preceding clause (1).

(9) Section 1841 is amended—

(A) by striking out "per centum" in paragraph (1) and inserting in lieu thereof "percent"; and

(B) by striking out "one hundred and eighty days" in paragraph (2) and inserting in lieu thereof "180 days".

(10) Section 1842 is amended by striking out "per centum" each place it appears and inserting in lieu thereof "percent".

(11) Section 1849 is amended by striking out "Effective for fiscal year 1982 and fiscal years thereafter, there" and inserting in lieu thereof "There".

(12) The item relating to section 4106 in the table of sections at the beginning of chapter 73 is amended to read as follows:

"4106. Period of appointments; promotions.".

(13) Section 4202(11) is amended by striking out "and without regard" and all that follows through "(7 U.S.C. 2240),".

(14) Section 4204 is amended by striking out ", amounts heretofore appropriated to carry out Public Law 636, Seventy-ninth Congress,".

60 Stat. 887.

(15) Section 5010(a)(1) is amended—

(A) by striking out "one hundred and twenty-five thousand and not less than one hundred thousand" and inserting in lieu thereof "125,000 and not less than 100,000"; and

(B) by striking out "ninety thousand" both places it appears and inserting in lieu thereof "90,000".

(16) Section 5073(a)(2) is amended—

(A) by striking out "twelve-month" each place it appears and inserting in lieu thereof "12-month"; and

(B) by striking out "per centum" each place it appears and inserting in lieu thereof "percent".

(17) Each subchapter heading is amended so as to be printed in all capital letters and in light-face type.

(18) The table of parts at the beginning of title 38 is amended by striking out "1501" in the item relating to part III and inserting in lieu thereof "1401".

SEC. 703. TECHNICAL AMENDMENTS TO PROVISIONS ENACTED BY VETERANS' BENEFITS IMPROVEMENT ACT OF 1984.

38 USC 413.

(a) AMENDMENTS TO PUBLIC LAW 98-543.—(1) Section 105 of the Veterans' Benefits Improvement Act of 1984 (Public Law 543) is

amended by striking out "413" and inserting in lieu thereof "413(a)".

(2) Section 111(c)(1)(B) of such Act is amended by striking out "subsection (b)" and inserting in lieu thereof "subsection (c)(1)(B)" 38 USC 363 note.

(b) AMENDMENTS TO TITLE 38.—(1) Section 524 of title 38, United States Code, is amended—

(A) by striking out "subsection (d)" in subsection (a)(2) and inserting in lieu thereof "subsection (b)";

(B) by striking out "subsection (a)(1)" in subsection (b)(4) and inserting in lieu thereof "subsection (a)"; and

(C) in subsection (c)—

(i) by striking out "Notwithstanding subsection (c) of section 525 of this title, a veteran" and inserting in lieu thereof "A veteran";

(ii) by striking out "subsection (b)" the second place it appears and inserting in lieu thereof "subsection (b)(1)"; and

(iii) by striking out the period and inserting in lieu thereof "without regard to the date on which the veteran's entitlement to pension is terminated.".

(2) Section 525(a) of such title is amended by striking out "under section 521 of this title".

(3) The item relating to section 524 in the table of sections at the beginning of chapter 15 of such title is amended by inserting "program of" after "Temporary".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the Veterans' Benefits Improvement Act of 1984 (Public Law 98-543). 38 USC 413 note. 38 USC 101 note.

Approved October 28, 1986.

LEGISLATIVE HISTORY—H.R. 5299 (S. 2422):

HOUSE REPORTS: No. 99-730 (Comm. on Veterans' Affairs).
SENATE REPORTS: No. 99-444 accompanying S. 2422 (Comm. on Veterans' Affairs).
CONGRESSIONAL RECORD, Vol. 132 (1986):
Aug. 4, considered and passed House.
Sept. 30, considered and passed Senate, amended, in lieu of S. 2422.
Oct. 7, House concurred in Senate amendments with amendments.
Oct. 8, Senate concurred in House amendments.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 22 (1986):
Oct. 28, Presidential remarks.

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